





10. (a) To supply the city of .....  
..... County, having a present population of .....  
(Name of)  
and an estimated population of ..... in 19.....

(b) If for domestic use state number of families to be supplied ..... one.....

(Answer questions 11, 12, 13, and 14 in all cases)

- 11. Estimated cost of proposed works, \$..... all works completed
- 12. Construction work will begin on or before ..... and water applied.....
- 13. Construction work will be completed on or before .....
- 14. The water will be completely applied to the proposed use on or before .....

*Lee Byers*  
(Signature of applicant)

AFFIDAVIT relating to future adjudication of prior rights.....

Remarks: I, Lee Byers, a single man, being first duly sworn depose and say that on August 20, 1941, I purchased a parcel of land from John P. Meredith. The property purchased included Lot one (1) Section 5. The aboved named land (SW 1/4 of the SW 1/4, Section 5, T.8 South, Range 8 West) is included in what was originally listed as Lot one. Some of the property sold to me in 1941 has been sold to other purchasers; however, Lot one (1) including the quarters listed above are still owned and operated by me. When I made the purchase and also later, I was informed that I would, no doubt, be entitled to prior water rights because of the seller having established earlier rights, then too because of his inheritance from a former owner and user; the prior rights would probably go back to a prior date, even before February 24, 1909. The original Meredith purchased the property in 1883 (deed in my possession).

My delay in making direct application was based on my understanding of the prior right deal and I thought the adjustment might be made within a few years at the most. Now the Engineer's office has informed me that it might be ten years or more before the matter is taken up in this area. Now in an attempt to clear the water usage for the present I am making direct application; however, such action should not jeopardize my prior rights when they are adjudicated.

STATE OF OREGON ss  
County of Marion ss  
October 23, 1973  
Personally the above named  
Lee Byers  
and acknowledged the foregoing instrument to be  
his voluntary act and deed.

STATE OF OREGON, }  
County of Marion, } ss. Official Seal  
Blanche Nickel  
Notary Public for Oregon

My commission expires: Nov. 23, 1974

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for .....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before ....., 19.....

WITNESS my hand this ..... day of ....., 19.....

STATE ENGINEER

By ..... ASSISTANT

PERMIT

STATE OF OREGON, }  
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.01 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from an unnamed spring

The use to which this water is to be applied is for domestic use for one family, including the irrigation of lawn and garden not to exceed 1/2 acre in area

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is October 23, 1973

Actual construction work shall begin on or before November 18, 1976 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1977

Complete application of the water to the proposed use shall be made on or before October 1, 1973

WITNESS my hand this 13th day of November, 1975

*James E. Johnson*  
Water Resources Director STATE ENGINEER

Application No. 51332  
Permit No. 38754

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 23rd day of October, 1975, at 3:20 o'clock P. M.

Returned to applicant:

Approved:

Recorded in book No. 38754 of Permits on page

STATE ENGINEER

Drainage Basin No. 2 page 76 B18

Fees