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MAY - 8 1976

Permit No. 41246

CERTIFICATE NO. 53936

WATER RESOURCES DEPT
SALEM, OREGON

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, James Bute (Name of applicant)
of 8985 Kaufman Avenue, Southgate (Mailing address) (City)
State of California, 90280 (Zip Code), do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is Calapooya Creek (Name of stream), a tributary of Umpqua River

2. The amount of water which the applicant intends to apply to beneficial use is 0.13 cubic feet per second (If water is to be used from more than one source, give quantity from each)

3. The use to which the water is to be applied is irrigation (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 90 ft. S and 2430 ft. E. from the NW corner of Section 29 (Section or subdivision)

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the SW NE of Sec. 29, Tp. 24 S. (Give smallest legal subdivision) (N. or S.)

R. 3 W., W. M., in the county of Douglas (E. or W.)

5. The (Main ditch, canal or pipe line) to be (Miles or feet) in length, terminating in the (Smallest legal subdivision) of Sec. (N. or S.)

R. (E. or W.), W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Location of headgate (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped, give general description 1/2 H.P. Electric (Centrifugal) (Size and type of pump)

1/2 H.P. Elec. 16 feet Lift. (Size and type of engine or motor to be used, total head water is to be lifted, etc.)
3/4" discharge

* A different form of application is provided where storage works are contemplated. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

Canal System or Pipe Line—

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(c) Length of pipe, ft.; size at intake, in.; size at ft. from intake in.; size at place of use in.; difference in elevation between intake and place of use, ft. Is grade uniform? Estimated capacity, sec. ft.

8. Location of area to be irrigated, or place of use

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
24 S	3 W	29	SW $\frac{1}{4}$ NE $\frac{1}{4}$	1.8
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	8.2

(If more space required, attach separate sheet)

(a) Character of soil

(b) Kind of crops raised orchard, pasture and garden.

Power or Mining Purposes—

9. (a) Total amount of power to be developed theoretical horsepower.

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized feet.
(Head)

(d) The nature of the works by means of which the power is to be developed

(e) Such works to be located in of Sec.
(Legal subdivision)

Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(f) Is water to be returned to any stream?
(Yes or No)

(g) If so, name stream and locate point of return

....., Sec., Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

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

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

- 11. Estimated cost of proposed works, \$.....
- 12. Construction work will begin on or before one year from issuance of permit
- 13. Construction work will be completed on or before two years from issuance of permit
- 14. The water will be completely applied to the proposed use on or before three years from issuance of permit.

x *James F. Bent*
(Signature of applicant)

Remarks: This will replace Permit No. 32925 which is being canceled.
..... Refer to legal description in Application 44062.

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

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 0.13 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 Calapooya Creek

The use to which this water is to be applied is irrigation.

If for irrigation, this appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year,

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 November 15, 1976

Actual construction work shall begin on or before February 3, 1978 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1978.

Complete application of the water to the proposed use shall be made on or before October 1, 1979.

WITNESS my hand this 3rd day of February 1977.

James C. Nelson
WATER RESOURCES DIRECTOR

Application No. 54954
Permit No. 41246

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 15th day of November, 1976, at 11:00 o'clock A.M.

Returned to applicant:

Approved:

Recorded in book No. of
Permits on page 41246

STATE ENGINEER
Drainage Basin No. 16 page 4B
Fees 200