

Permit No. 41742

**RECEIVED**

APR 22 1977

\*APPLICATION FOR PERMIT

WATER RESOURCES DEPT:

**To APPROPRIATE the Public Waters of the State of Oregon**

I, WALTER R. MILLER  
(Name of applicant)  
of 3840 DOGWOOD DRIVE SOUTH, SALEM,  
(Mailing address) (City)  
State of OREGON, 97302, do hereby make application for a permit to appropriate the  
(Zip Code)  
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 NOT A CORPORATION

1. The source of the proposed appropriation is SMALLMAN CREEK  
(Name of stream)  
a tributary of M. SANTIAM RIVER

2. The amount of water which the applicant intends to apply to beneficial use is .57  
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 PRIMARY IRRIGATION OF .12  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)  
CUBIC FEET PER SECOND. SUPPLEMENTAL IRRIGATION OF .45 CUBIC FEET PER SEC.

4. The point of diversion is located 0.3 <sup>Ch. N</sup> ~~Ch. S~~ and 0.6 <sup>Ch. E</sup> ~~Ch. W~~ from the MOST  
(N. or S.) (E. or W.)  
CORNER OF MOST WESTERLY N.W. CORNER OF McDONALD DLC # 61 BEING  
(Section or subdivision)  
WITHIN THE N.W. 1/4 OF THE S.E. 1/4 OF SECTION 35, TOWNSHIP 9 S,  
RANGE 2 W.M. OF THE COUNTY OF LINN

(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 N.W. 1/4 S.E. 1/4 of Sec. 35, Tp. 9 S,  
(Give smallest legal subdivision) (N. or S.)

R. 2 W, W. M., in the county of LINN  
(E. or W.)

5. The PIPE LINE to be 7700'  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the N.W. 1/4 N.W. 1/4 of Sec. 11, Tp. 10 S,  
(Smallest legal subdivision) (N. or S.)

R. 2 W, W. M., the proposed location being shown throughout on the accompanying map.  
(E. or W.)

**DESCRIPTION OF WORKS**

**Diversion Works—**

6. (a) Height of dam NA 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) Description of headgate \_\_\_\_\_  
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description \_\_\_\_\_  
(Size and type of pump)

(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

\* 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, ..... 7700 ..... ft.; size at intake, ..... 20 ..... in.; size at ..... 2800 ..... ft. from intake ..... 12 ..... in.; size at place of use ..... 8 ..... in.; difference in elevation between intake and place of use, ..... 2 ..... ft. Is grade uniform? ..... Yes ..... Estimated capacity, ..... 5 ..... 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
95	2W	35	NE $\frac{1}{4}$ SE $\frac{1}{4}$	03
95	2W	35	SE $\frac{1}{4}$ SE $\frac{1}{4}$	48
95	2W	36	NW $\frac{1}{4}$ SW $\frac{1}{4}$	09
95	2W	36	SW $\frac{1}{4}$ SW $\frac{1}{4}$	32
105	2W	2	SE $\frac{1}{4}$ SW $\frac{1}{4}$	90
105	2W	11	NW $\frac{1}{4}$ NE $\frac{1}{4}$	03
105	2W	11	NE $\frac{1}{4}$ NW $\frac{1}{4}$	262
				457

PRIMARY

(If more space required, attach separate sheet)

(a) Character of soil ..... DAYTON - CLACKAMAS .....

(b) Kind of crops raised ..... ROW CROPS - MINT .....

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 .....

Municipal or Domestic Supply—

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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, \$... U.S.E. PRESENT SYSTEM
- 12. Construction work will begin on or before DOM.E
- 13. Construction work will be completed on or before DOM.E
- 14. The water will be completely applied to the proposed use on or before OCT. 1 1978

Walter R. Miller  
(Signature of applicant)

Remarks: .....

~~SUPPL TO APPL G-7680~~

SUPPL: TO A-G-7680 PERMIT G-7109

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 0.57 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 Smallman Creek

The use to which this water is to be applied is supplemental irrigation and 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, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein,

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 April 22, 1977

Actual construction work shall begin on or before September 28, 1978 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1979.

Complete application of the water to the proposed use shall be made on or before October 1, 1980.

WITNESS my hand this 28th day of September, 1977

*James E. Benson*  
Water Resources Director

Application No. 55732  
Permit No. 41742

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 22 day of APRIL, 1977, at 8:13 o'clock A.M.

Returned to applicant:

Approved:

Recorded in book No. \_\_\_\_\_ of \_\_\_\_\_  
Permits on page \_\_\_\_\_

STATE ENGINEER

Drainage Basin No. \_\_\_\_\_ page \_\_\_\_\_

Fees 3.45