

CERTIFICATE NO. ~~47623~~ 48218  
16819 + 48211

\* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, John Magee (Name of applicant) of McMinnville Rt 2 (Mailing address), State of Oregon, 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 Baker Creek (Name of stream) trib. of Yamhill River, a tributary of Yamhill River

2. The amount of water which the applicant intends to apply to beneficial use is C.75 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 2000 ft. S and 800 ft. E from the NW corner of Sec. 13, T. 4 S., R. 5 W., W. M. approximately (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 1/4 NW 1/4 of Sec. 13, Tp. 4 S, R. 5 W., W. M., in the county of Yamhill (Give smallest legal subdivision) (N. or S.) (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 No 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) Description of headgate (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 4" Cent. pump 10 HP elec. motor (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.

\*\*Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

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	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
4 S	5 W	13	NE $\frac{1}{4}$ NW $\frac{1}{4}$	4
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	18
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	28
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	4
		14	SE $\frac{1}{4}$ NE $\frac{1}{4}$	6
				60
Property on which water is to be used is a part of that more explicitly described by applicant as follows:				
A part of the Donation Land Claim of William Dawson and wife, Claim No. 43, Notification No. 2222, in Township 4 South of Range 5 West of the Willamette Meridian, in said Yamhill County, Oregon, said part being bounded as follows:				
Beginning at a point in the county road 4.60 chains North 85 $\frac{1}{4}$ West of the corner of Sections 11, 12, 13 and 14 in said Township and Range in said county, at a stone 8x10x20 inches, marked C.S. 73 C for corner of "Campbell" this tract and "J. G. Wisecarver" this tract of land; thence South (Var. 20 $\frac{1}{2}$ 30' East) 57 chains				
(Continued under Remarks)				

(If more space required, attach separate sheet)

(a) Character of soil ..... Willamette ..... Amity .....

(b) Kind of crops raised ..... Alfalfa ..... Fescue ..... Clover ..... Pasture corn .....

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—

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, \$...3000.00.....
- 12. Construction work will begin on or before July 10 1946.....
- 13. Construction work will be completed on or before Two yrs. after approval.....
- 14. The water will be completely applied to the proposed use on or before 3 " " ".....

(Sgd) John D. Magee  
(Signature of applicant)

Remarks: (Continued from Item 8)

to stone on south line of said D. L. C., and southeast corner of "William Campbell" land; thence East on South line of said D. L. C. 27.80 chains to stake marked C. S. 73 C.B.T.; thence North 58.66 chains to county road, set three stones 5 by 6 by 9 inches in center of road for corner; thence North 88-3/4° West 10.57 chains to a stone in center of road; thence South 89° West 14.25 chains to stone at old gate post; thence South 83° West 3 chains to place of beginning, containing 160 acres, more or less, and being the premises sold and conveyed to Charles S. Magee and Ella B. Magee, husband and wife, by deed dated September 28, 1907, said deed being recorded in Book 52, page 84, deed records, Yamhill County, Oregon, and being the premises owned by said Charles S. Magee at the date of his death.

Excepting 31/100 acres deeded to Yamhill County by C. S. Magee on May 16, 1929, said deed being recorded in Vol. 101, page 132, deed records, Yamhill County, Oregon.

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 ....., 194.....

WITNESS my hand this ..... day of ....., 194.....

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Division No. District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon,

on the 25th day of June,

1946 at 3:47 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

October 1, 1946

Recorded in book No. 42 of

Permits on page 17115

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 2 Page 90 K

Fees Paid \$14.00

PERMIT

STATE OF OREGON, } ss County of Marion,

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 0.75 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 Baker 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 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 June 25, 1946

Actual construction work shall begin on or before October 1, 1947 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1948

Complete application of the water to the proposed use shall be made on or before

October 1, 1949

WITNESS my hand this 1st day of October, 1946.

CHAS. E. STRICKLIN STATE ENGINEER