

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Lovie W. Magee
 of Rt. 1. Dayton
 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 Old Channel Willamette River
 (Name of stream)
 a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is 0.638
 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 _____ ft. _____ and _____ ft. _____ from the
 (N. or S.) (E. or W.)
 corner of Portable system located between following points
 (Section or subdivision)
360' ± S and 2400' ± E of NW Cor. Sec. 34: Twp 5S: R3W and
600' ± N and 3200' ± E of NW Cor. Sec. 34: Twp 5S: R3W

(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 NE 1/4 of NW 1/4 of Sec. 34, Twp. 5S
SW 1/4 of SE 1/4 (Give smallest legal subdivision) (N. or S.)
 R. 3W, W. M., in the county of Yamhill

5. The Pipe line to be 1500 ft.
 (Main ditch, canal or pipe line) (Miles or feet)
 in length, terminating in the SW 1/4 Sec. 34 of Sec. _____, Twp. 5S
 (Smallest legal subdivision) (N. or S.)
 R. 3W, 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) Description of headgate _____
 (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 30 H.P. Electric Centrifugal
 (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.

7. (3) Give location of 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*

[illegible]

(If more space required, attach separate sheet)

(a) Character of soil Newberg & Chkalis

(b) Kind of crops raised Vegetable, Specialty, Grains & Seeds

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*

(c) Such works to be located in _____ of Sec. _____,
(Legal subdivision)

(Legal subdivision)

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

(No. N. or S.)

(No. E. or W.)

W. M.

(f) *Is water to be returned to any stream?*

(Yes or No)

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

Sec.

Tr.

R.

(No. N. or S.)

(No. E. or W.)

W. M.

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

(i) *The nature of the mines to be served*

The West one half of the East one half of the following described premises to wit:

The North one half of the North one half of the North one half of the Donation Land Claim of Daniel Matheny and Mary Matheny, his wife, Not No. 1634, CI. No. 38 in Township 5 South, Range 3 West, of the Willamette Meridian in Yamhill County, Oregon, containing 20 acres, more or less.

The East 20 acres of the following described tract: A part of the Daniel Matheny Donation Land Claim No. 38 in Township 5 South, Range 3 West of the Willamette Meridian, in Yamhill County Oregon, described as follows: Beginning at a point on the West line of said Claim South 0°04' East 9.445 chains from the Northwest corner of said Claim at the Southeast corner of the tract of land conveyed by Kirk Walling to Bert Brooks and Glen M. Brooksby Deed recorded May 29, 1946 in Book 135, Page 413 Deed Records, from which point an iron pipe 1½" x 24" bears South 89°40' East 45.4 links and from which iron pipe an oak marked P.S.B.T. bears North 8°20' East 51½ links distant; thence South 89°40' East along the South line of said Brooks tract 84.99 chains to an iron pipe 1½" x 30" on East line of said Claim; thence South 9.455 chains to an iron pipe 1½" x 30" from which a fir tree 14" in diameter bears North 80° West 15½ links; thence North 89°40' West at 29.14 chains to section line 53 links North of the section corner between Sections 27, 28, 33 & 34, 84.98 chains to West line of said Claim, from which an iron pipe 1½" x 24" at the East side of road bears South 89°40' East 50 links and from which iron pipe an oak 20" in diameter bears North 11° East 44½ links and an oak 6" in diameter bears North 86°15' East 27½ links; thence North 0°04' West 9.455 chains to the place of beginning, being that County survey recorded September 28, 1915 in Book H.P. 47 Record of Surveys for Yamhill County, Oregon.

Part of the following described tract in Township 5 South, Range 3 West of the Willamette Meridian, in Yamhill County, Oregon, and being the North one half of the following described premises:

Beginning at an iron pipe on the East line of said Claim 18.91 chains South of the Northeast corner of said Claim, and on the South line of land conveyed to J.S. Gilkey by Deed recorded November 24, 1931 in Book 106, Page 150, Deed Records; thence South along the East line of said Claim 18.91 chains to the Southeast corner of the North one half of said Claim; thence North 89°40' West along the division line of said Claim 4.38 chains to a stake for witness to the Southeast corner of the North one half of said Claim; thence North 89°40' West along said division line 18.759 chains; thence North parallel with the East line of said Claim 18.91 chains to the South line of said J.S. Gilkey tract; thence South 89°40' East 21.188 chains to place of beginning.

Less the following described tract:

Parts of the Daniel Matheny Donation Land Claim No. 38 in Township 5 South, Range 3 West of the Willamette Meridian, in Yamhill County, Oregon, described as follows:

Tract 1:- Beginning at an iron pipe on the South line of land conveyed to L.L. Magee by Deed recorded September 6, 1946 in Book 154, Page 218, Deed Records at a point 1872.00 feet South from the Northeast corner of said Claim; thence North 89°40' East along the South line of said Magee tract 145 feet to an iron pipe; thence North 20 feet to an iron pipe; thence South 89°40' East 145 feet to an iron pipe on the East line of said Claim; thence South 20 feet to the place of beginning.

Tract 2:- Beginning at an iron pipe on the South line of land conveyed to L.L. Magee by Deed recorded September 6, 1946 in Book 154, Page 218, Deed Records, at a point 1872.00 feet South on North 89°40' West 245 feet from the Northeast corner of said Claim; thence North 89°40' West 1153.03 feet to the Northwest corner of said Magee tract; thence Northeasterly 245.65 feet along the West line of said Magee tract; thence South 89°40' East 1153.74 feet to an iron pipe; thence South 245.65 feet to the place of beginning. Subject to rights of the public to that portion of the premises lying in the road.

10. (a) To supply the city of _____

(Name of) County, having a present population 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 _____

13. Construction work will be completed on or before _____

14. The water will be completely applied to the proposed use on or before _____

Louie W. Magee
(Signature of applicant)

Remarks: _____

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____.

PERMIT

STATE OF OREGON

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 0.638 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 old channel of Willamette River

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

If for irrigation, this appropriation shall be limited to 1/80 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 February 23, 1954

Actual construction work shall begin on or before May 26, 1955 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1956.

Complete application of the water to the proposed use shall be made on or before October 1, 1957.

WITNESS my hand this 28th day of May, 1954.

Chas. E. Stricklin
STATE ENGINEER

Application No. 29021

Permit No. 22833

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 February,
1954, at 10:35 o'clock A. M.

Return to applicant:

Approved:

May 28, 1954

Recorded in book No. 59 of

Permits on page 22833

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 2

State Printing 66097

Recd 18.15