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STATE ENGINEER
SALEM, OREGON

Permit No. 34215

*APPLICATION FOR PERMIT

CERTIFICATE NO. 43902

To Appropriate the Public Waters of the State of Oregon

I, David B. Lowry and/or Mary L. Lowry
(Name of applicant)

of Route 1, Box 321, Talent,
(Mailing address)

State of Oregon 97540, 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 Payne Creek (Fern Creek) and
(Name of stream)
Lowry Reservoir, a tributary of Bear Creek.

2. The amount of water which the applicant intends to apply to beneficial use is 1.00 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 temperature control.
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 2100 ft. S. (N. or S.) and 1050 ft. W. (E. or W.) from the NE corner of Section 10
(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 SE¼ NE¼ (Give smallest legal subdivision) of Sec. 10, Tp. 38 S. (N. or S.), R. 1 W. (E. or W.), W. M., in the county of Jackson.

5. The pipeline (Main ditch, canal or pipe line) to be 4000 feet (est.) (Miles or feet) in length, terminating in the NE¼ NE¼ (Smallest legal subdivision) of Sec. 10, Tp. 38 S. (N. or S.), R. 1 W. (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) Description of headgate .....
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 3½" centrifugal pump powered by a 30 H.P. electric 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— **34215**

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, 4000 ft.; size at intake, 5.0 in.; size at 1200 ft. from intake 3 in.; size at place of use 3, 2 & 1 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
38 S.	1 W.	10	NE¼ NE¼	3.6 acres (temperature control)
		10	SE¼ NE¼	6.4 acres (temperature control)
				10.0

(If more space required, attach separate sheet)

(a) Character of soil ..... clay loam. .....

(b) Kind of crops raised ..... pears. .....

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 ..... (Legal subdivision) of Sec. .....,

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—

34215

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, $ 7000.00

12. Construction work will begin on or before one year from date of priority.

13. Construction work will be completed on or before October 1, 1971.

14. The water will be completely applied to the proposed use on or before October 1, 1972.

David B. Lowry
(Signature of applicant)

Betty D. Lowry

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 completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before April 21st, 19 69.

WITNESS my hand this 20th day of February, 19 69.

RECEIVED
MAR 14 1969
STATE ENGINEER
SALEM, OREGON

CHRIS L. WHEELER
STATE ENGINEER

By Larry W. Jebousek
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 1.0 *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* Payne Creek and reservoir to be constructed under application No. R-45786, permit No. R-5446.

The use to which this water is to be applied is Temperature control

The permittee shall record and submit annually to the State Engineer all pertinent data pertaining to use of water for temperature control on forms furnished.

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 February 17, 1969

Actual construction work shall begin on or before December 10, 1970 *and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19*71.

*Complete application of the water to the proposed use shall be made on or before October 1, 19*72.

WITNESS my hand this 10th *day of* December, *1969*

STATE ENGINEER

Application No. 45787

Permit No. **34215**

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 17th *day of* February, *19*69, *at* 8 *o'clock* A. *M.*

Returned to applicant:

Approved:

December 10, 1969

Recorded in book No. ..... *of Permits on page* **34215**

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 15 *page* 24C

Fees $125.00

State Printing 98137