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STATE ENGINEER
SALEM, OREGON

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APPLICATION FOR PERMIT

Permit No. 34494

CERTIFICATE NO. 42821

To appropriate the Public Waters of the State of Oregon

I, William L. Gallagher and Frank E. McBain, Jr.
(Name of applicant)
of Star Route, Sprague River (97624)
(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 Unnamed Spring
(Name of stream)
a tributary of Whisky Creek

2. The amount of water which the applicant intends to apply to beneficial use is 1.0
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 S 83° 19 W 2288 feet from the Northeast Corner of Section 1,
(Section or subdivision)
T.37 S., R.11 E., W.M.

(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 NW $\frac{1}{4}$ -NE $\frac{1}{4}$ of Sec. 1, Tp. 37 S.
(Give smallest legal subdivision) (N. or S.)

R. 11 E., W. M., in the county of Klamath
(E. or W.)

5. The Main Ditch to be 1.9 Miles
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SE $\frac{1}{4}$ -NE $\frac{1}{4}$ of Sec. 36, Tp. 36 S.
(Smallest legal subdivision) (N. or S.)

R. 11 E., 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 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 12" CMP with Gate
(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.
**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—

34494

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) 2 feet; width on bottom 1 feet; depth of water 0.5 feet; grade 1 feet fall per one thousand feet.

(b) At Same 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 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

Table with 5 columns: Township North or South, Range E. or W. of Willamette Meridian, Section, Forty-acre Tract, Number Acres To Be Irrigated. Contains entries for T.36 S., R.11 E., Section 36, with tracts SE 1/4-NE 1/4, NE 1/4-SE 1/4, and SE 1/4-SE 1/4, totaling 40.5 Acres.

(If more space required, attach separate sheet)

(a) Character of soil Sandy Loam

(b) Kind of crops raised Cereals, Legumes, and Pasture Grasses

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, \$ 2000 _____
- 12. Construction work will begin on or before Construction Already Started _____
- 13. Construction work will be completed on or before Already Completed _____
- 14. The water will be completely applied to the proposed use on or before Already Applied _____

(Signature of applicant)

Remarks: This land lies within the boundaries of the old Klamath Indian Reservation and, according to long time residents of the area, has been continuously irrigated from this spring since about 1915.

In filing this application, the applicants do not waive or abandon any vested rights appurtenant to said lands.

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 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 unnamed spring

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

If for irrigation, this appropriation shall be limited to 1/40 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 3 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 August 11, 1969

Actual construction work shall begin on or before March 16, 1971 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1971.

Complete application of the water to the proposed use shall be made on or before October 1, 1972.

WITNESS my hand this 16th day of March, 1970

Chris L. Wheeler

STATE ENGINEER

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Application No. 46330
Permit No. 34494

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 14th day of August, 1969, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

March 16, 1970

Recorded in book No. of

Permits on page 34494

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 14 page 205

Fees \$ 21.65