

\*APPLICATION FOR PERMIT

CERTIFICATE NO. 45484

# To appropriate the Public Waters of the State of Oregon

I, Floyd Giese  
(Name of applicant)  
of North Myrtle Route, Box 300, Myrtle Creek,  
(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 North Myrtle Creek  
(Name of stream)  
\_\_\_\_\_, a tributary of South Umpqua River

2. The amount of water which the applicant intends to apply to beneficial use is 1.00 c.f.s.  
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 450 ft. S. and 1015 ft. W. from the center  
(N. or S.) (E. or W.)  
corner of Section 13  
(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 NE 1/4 SW 1/4 #2 SE 1/4 SW 1/4 of Sec. 13, Tp. 28S.  
(Give smallest legal subdivision) (N. or S.)

R. 1/4 W., W. M., in the county of Douglas  
(E. or W.)

5. The #1 ditch #2 pipeline to be #1. 1 1/2 miles #2. 400 feet  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the SW 1/4 NW 1/4 #2 SE 1/4 SW 1/4 of Sec. #1 24 #2 13 Tp. 28S.  
(Smallest legal subdivision) (N. or S.)

R. 1/4 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 6 feet feet, length on top 13 feet, length at bottom 13 feet; material to be used and character of construction concrete sides  
(Loose rock, concrete, masonry, with flashboards)  
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate wood headgate against 10" x 10" opening in dam  
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description have not obtained yet  
(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) three feet; width on bottom 2.5 feet; depth of water 18" feet; grade 5 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 North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated	
28S.	4W.	13	NW $\frac{1}{4}$ SW $\frac{1}{4}$	3.0 acres	New lands
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	6.0 acres	
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	6.0 acres	
				15.0 acres	
28S.	4W.	13	NE $\frac{1}{4}$ SW $\frac{1}{4}$	4.3 acres	Vested right claim
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	8.4 acres	
		24	NE $\frac{1}{4}$ NW $\frac{1}{4}$	11.2 acres	
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	2.7 acres	
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	15.4 acres	
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.0 acres	
				43.0 acres	
Total of all acreage = 58.0 acres					

(If more space required, attach separate sheet)

(a) Character of soil .....

(b) Kind of crops raised permanent pasture

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, \$500-800 to complete

12. Construction work will begin on or before 6-1-70

13. Construction work will be completed on or before 10-1-71

14. The water will be completely applied to the proposed use on or before 10-1-72

Floyd F. Giese

(Signature of applicant)

Remarks: Note: I am not relinquishing any claim to my rights dating back prior to 1909 by filing this application.

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 0.73 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 North Myrtle Creek

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 March 9, 1970

Actual construction work shall begin on or before February 22, 1972 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1972...

Complete application of the water to the proposed use shall be made on or before October 1, 1973...

WITNESS my hand this 22nd day of February, 1971

*Chris L. Wheeler*

STATE ENGINEER

Application No. 46796  
Permit No. 34988

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 9th day of March, 1970, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

February 22, 1971

Recorded in book No. \_\_\_\_\_ of \_\_\_\_\_

Permits on page 34988

CHRIS L. WHEELER  
STATE ENGINEER

Drainage Basin No. 16 page 37 J

Fees \$21.20