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STATE ENGINEER  
SALEM, OREGON

\*APPLICATION FOR PERMIT

Permit No. 35779

CERTIFICATE NO. 43257

# To Appropriate the Public Waters of the State of Oregon

I, ROBERT LAWRENCE CONGER  
(Name of applicant)  
of STAR RT. BOX 142 PROSPECT  
(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 MILL CREEK  
(Name of stream)  
a tributary of ROGUE RIVER

2. The amount of water which the applicant intends to apply to beneficial use is 0.03 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 DOMESTIC  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 192.1 ft. N. and 2729 ft. E. from the SW  
(N. or S.) (E. or W.)  
corner of SECTION 28  
(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 NW 1/4 SE 1/4 of Sec. 28, Tp. 32S.  
(Give smallest legal subdivision) (N. or S.)

R. 3E., W. M., in the county of JACKSON  
(E. or W.)

5. The NYE DITCH to be \_\_\_\_\_  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the NE 1/4 SE 1/4 of Sec. 10, Tp. 33S.  
(Smallest legal subdivision) (N. or S.)

R. 2E., 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 \_\_\_\_\_  
(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—

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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, 2500 ft.; size at intake, 2.0 in.; size at 2400 ft. from intake 2.0 in.; size at place of use 3/4 x 1/2 in.; difference in elevation between intake and place of use, -80 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
33S.	2E	10	NE 1/4 NE 1/4 SE 1/4	DOMESTIC (3)

(If more space required, attach separate sheet)

(a) Character of soil .....

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

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 ..... 3

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$..... 100<sup>00</sup>

12. Construction work will begin on or before ..... STARTED

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

14. The water will be completely applied to the proposed use on or before ..... DEC. 1971

Robert S. Conger  
(Signature of applicant)

Margaret E. Conger

Remarks: PERMISSION HAS BEEN GRANTED BY NYE DITCH USERS, INC., TO USE THE NYE DITCH TO TRANSPORT THE APPLICANTS WATER. FD

WE HAVE A 2" PLASTIC LINE FROM NYE DITCH TO OUR PLACE FOR IRRIGATION, PERMIT NO. 15347

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 and correction.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before February 17th ..... 19 71.

WITNESS my hand this 17th day of December ..... 19 70.

RECEIVED  
JAN 19 1971

STATE ENGINEER  
SALEM, OREGON

CHRIS L. WHEELER  
STATE ENGINEER

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 0.01 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 Mill Creek

The use to which this water is to be applied is domestic use for three families

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 December 8, 1971

Actual construction work shall begin on or before March 30, 1973 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1973.

Complete application of the water to the proposed use shall be made on or before October 1, 1974.

WITNESS my hand this 30th day of March, 1972

*Chris L. Wheeler*  
STATE ENGINEER

Application No. 47772  
Permit No. 35779

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

Returned to applicant:

Approved:

March 30, 1972

Recorded in book No. 35779 of

CHRIS L. WHEELER  
STATE ENGINEER

Drainage Basin No. 15 page 7678  
Fees \$5.00