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APR 19 1972

STATE ENGINEER
SALEM OREGON

Permit No. 36417

42063
46879

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, ADA M. MCHUGILL (Name of applicant)
of Box 115, Kellogg Star Route, Oakland, (City)
State of Oregon 97462, do hereby make application for a permit to appropriate the
(Mailing address) (Zip Code)
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 Yellow Creek

2. The amount of water which the applicant intends to apply to beneficial use is 0.01
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 including up to 1/2 acre
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)
lawn and garden

4. The point of diversion is located 1110 ft. N. and 355 ft. E. from the SW
(N. or S.) (E. or W.)
corner of 12 (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 SW-1/4 SW-1/4 of Sec. 12, Tp. 24S
(Give smallest legal subdivision) (N. or S.)

R. 7 W., W. M., in the county of Douglas

5. The pipeline to be 1.000
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SW-1/4 SW-1/4 of Sec. 12, Tp. 24S
(Smallest legal subdivision) (N. or S.)

R. 7 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 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 gravity flow
(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. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

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 one

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

- 11. Estimated cost of proposed works, \$..... completed.....
- 12. Construction work will begin on or before completed.....
- 13. Construction work will be completed on or before completed.....
- 14. The water will be completely applied to the proposed use on or before completed.....

.....
.....
.....
(Signature of applicant)

Remarks: Map on file under application #46490 and permit #34742 is the same as the use mentioned here. I filed application #46490, permit #34742 and completed construction and use thereunder required. I am still using this water on the same land which I still own. By mistake and ignorant of its legal effect, I signed a paper furnished to me from the State Engineer's Office purporting to assign all my interest to Mr. John Strombitski. I did not intend to lose my water rights by so doing but the apparently was the effect. I now wish to refile for a new right for the same land so that I will be allowed to continue to use this water on my land. Mr. Strombitski owns no interest in the land where the water covered by application #46490 and permit #34742 is to be used.

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 0.01 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 unnamed spring

The use to which this water is to be applied is domestic use for 1 family including the irrigation of lawn and garden not to exceed 1/2 acre in area

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 April 19, 1972

Actual construction work shall begin on or before February 28, 1974 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1974

Complete application of the water to the proposed use shall be made on or before October 1, 1975.

WITNESS my hand this 28th day of February, 1973

Chris L. Wheeler
STATE ENGINEER

Application No. 49169
Permit No. 36417

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 19th day of April, 1972, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

February 28, 1973

Recorded in book No. of
Permits on page 36417

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 16 page 22A

Fees 25.00