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JUL 23 1973

Permit No. 38450

STATE ENGINEER  
SALEM OREGON

\*APPLICATION FOR PERMIT

CERTIFICATE NO. 49094

### To Appropriate the Public Waters of the State of Oregon

I, ROBERT JAMES MCCRARY  
(Name of applicant)

of N. Myrtle Rt., Box 276, Myrtle Creek, Oregon  
(Mailing address) (City)

State of \_\_\_\_\_, 97457  
(Zip Code), 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 stream and North  
(Name of stream)

Myrtle Creek, a tributary of Myrtle Creek

2. The amount of water which the applicant intends to apply to beneficial use is 0.05  
0.03 for irrigation from North Myrtle & 0.01 for stock  
cubic feet per second 0.01 for domestic from Unnamed stream  
(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 and domestic stock  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located #1 1250 ft. S and 150 ft. E  
#2 1400 ft. S and 550 ft. W from the NW  
(N. or S.) (E. or W.)

corner of #1 Sec. 34, T28S, R4W  
(Section or subdivision)

#2 Sec. 33, T28S, R4W

(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 #1 NW NW of Sec. 33, Tp. 28S  
#2 SE NE (Give smallest legal subdivision) (N. or S.)

R. #2 4W, W. M., in the county of Douglas

5. The PIPE line to be #1 300 feet  
(Main ditch, canal or pipe line) (Miles or feet)

in length, terminating in the #2 NE 1/4 NE 1/4 & SE 1/4 NE 1/4 of Sec. 33, Tp. 28S  
(Smallest legal subdivision) (N. or S.)

R. 4W, 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 not yet purchased  
#1 gravity flow #2 not yet purchased  
(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.

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) ..... 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, #1 300 ft.; size at intake, 1 1/2" in.; size at ..... ft. from intake ..... in.; size at place of use 20' ..... in. difference in elevation between intake and place of use, ..... ft. Is grade uniform? yes 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
T28S	4W	28	SE 1/4 SE 1/4	2 1/2 acres
		33	NE 1/4 NE 1/4	15 1/2 acres & domestic stock
			SE 1/4 NE 1/4	11 acres
				29 <sup>2</sup>

(If more space required, attach separate sheet)

(a) Character of soil ..... bottom soil

(b) Kind of crops raised ..... hay, small fruit, orchard

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 \_\_\_\_\_  
\_\_\_\_\_  
(Name of) County, having a present population of \_\_\_\_\_  
and an estimated population of \_\_\_\_\_ in 19\_\_\_\_\_

(b) If for domestic use state number of families to be supplied \_\_\_\_\_ 1 \_\_\_\_\_

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

- 11. Estimated cost of proposed works, \$ 1,000<sup>00</sup>
- 12. Construction work will begin on or before 7 - 1 - 74
- 13. Construction work will be completed on or before 7 - 1 - 75
- 14. The water will be completely applied to the proposed use on or before 7 - 1 - 76

Robert James McHenry  
(Signature of applicant)

Remarks: \_\_\_\_\_  
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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 ~~January 7~~ June 12, 19 ~~74~~ 74

WITNESS my hand this ~~7th~~ 12th day of November, 19 ~~73~~ 74

DEC 19 1973  
STATE ENGINEER  
SALEM, OREGON

CHRIS L. WHEELER  
STATE ENGINEER

By Wayne J. Overcash  
ASSISTANT

RECEIVED  
MAY 30 1974  
STATE ENGINEER  
SALEM, OREGON

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 0.045 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 and an unnamed stream, being 0.03 c.f.s. for irrigation and 0.01 c.f.s for stock from N. Myrtle Creek, and 0.005 c.f.s. for domestic from unnamed stream

The use to which this water is to be applied is for domestic use for one family, stock and irrigation

If for irrigation, this appropriation shall be limited to 1/80th 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 July 23, 1973

Actual construction work shall begin on or before October 21, 1976 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1977...

Complete application of the water to the proposed use shall be made on or before October 1, 1978...

WITNESS my hand this 21st day of October 1975

*James E. Selman*  
Water Resources Director

F.H.  
A

Application No. 50928  
Permit No. 38450

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 23rd day of July 1973, at 8:00 o'clock A.M.

Returned to applicant:

Approved:

Recorded in book No. 38450 of Permits on page

STATE ENGINEER

Drainage Basin No. 16 page 37P  
Fees 55.00