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Permit No. **40455**

JAN 7 1976
WATER RESOURCES DEPT.
SALEM, OREGON

***APPLICATION FOR PERMIT**

To Appropriate the Public Waters of the State of Oregon

I, Joseph EARP (Name of applicant)
of Route 3 Box 184 (Mailing address), Reedsport (City),
State of Oregon (Zip Code) 97467, 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 Fork of Smith River (Name of stream), a tributary of North Fork of Smith River

2. The amount of water which the applicant intends to apply to beneficial use is .21 from unnamed stream + .0875 from N.F.S.R. 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 (.01) including not to exceed 1/2 ac lawn and garden; power (.2) from unnamed stream; and .0875 irrigation from North Fork of Smith River from two P.O.D. marked on attached map (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 700 ft. N and 1275 ft. W from the SE corner of Sec 5 (N. or S.) (E. or W.)

or South 69°18'23" west 1632.4 feet from SW corner of SW 1/4 SE 1/4 of sec 5, for unnamed stream; in NF Smith River for irrigation P.O.D. = 1) 500ft N and 300ft W. of SW corner of SW 1/4 SE 1/4 of sec 5 (Section or subdivision)
2) 650 ft N and 300 ft E of SW corner of SW 1/4 SE 1/4 of Sec 5 (If preferable, give distance and bearing to section corner)

being within the SE 1/4 SE 1/4 and SE 1/4 SW 1/4 and SW 1/4 SE 1/4 of Sec. 5, Tp. 20 S (Give smallest legal subdivision) (N. or S.)
R. 10 W, W. M., in the county of Douglas (E. or W.)

5. The pipeline (Main ditch, canal or pipe line) to be 1200 feet in length, terminating in the SW 1/4 SE 1/4 of Sec. 5, Tp. 20 S (Smallest legal subdivision) (Miles or feet) (N. or S.)
R. 10 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 (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, 1200; 600 ft.; size at intake, 1 1/4"; 4" in.; size at 300 ft. from intake 1 1/4"; 4" in.; size at place of use 3/4"; 4" in.; difference in elevation between intake and place of use, 300 ft. Is grade uniform? no Estimated capacity, .21 sec. ft.

8. Location of area to be irrigated, or place of use SW 1/4 SE 1/4 of sec 5 T20S R10W see legal description attached (warrant, deed)

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
20 S	10 W	5	SW 1/4 SE 1/4	Domestic including not to exceed 1/2 ac lawn & garden from unnamed stream
20 S	10 W	5	SW 1/4 SE 1/4	Power .2 sec ft from unnamed stream
			SE 1/4 SW 1/4	Irrigation 2 ac / .025 cfs from N.F. Smith R.
			SW 1/4 SE 1/4	Irrigation 5 ac / .0625 cfs from N.F. Smith R.
			SE 1/4 SW 1/4	Domestic 4.66 from unnamed stream

(If more space required, attach separate sheet)

(a) Character of soil sandy loam

(b) Kind of crops raised pasture and agricultural crop

Power or Mining Purposes—

9. (a) Total amount of power to be developed 6 theoretical horsepower.

(b) Quantity of water to be used for power .2 sec. ft.

(c) Total fall to be utilized 300 feet.
(Head)

(d) The nature of the works by means of which the power is to be developed pelton water wheel or Mitchell (Banki) turbine

(e) Such works to be located in SW 1/4 SE 1/4 of Sec. 5
(Legal subdivision)

Tp. 20 S, R. 10 W, W. M.
(No. N. or S.) (No. E. or W.)

(f) Is water to be returned to any stream? Yes
(Yes or No)

(g) If so, name stream and locate point of return North Fork of Smith River

500' N & 1400' W of SE corner of Sec. 5, Tp. 20 S, R. 10 W, W. M.
(No. N. or S.) (No. E. or W.)

(h) The use to which power is to be applied is air compressor, grindstone

(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 ~~for 2~~ 2

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

11. Estimated cost of proposed works, \$ \$500.

12. Construction work will begin on or before August 7 1976

13. Construction work will be completed on or before August 1 1978

14. The water will be completely applied to the proposed use on or before August 7 1979

Joseph Earp

(Signature of applicant)

Remarks: In the event of a water shortage I wish to share the water from the unnamed stream described above in a fashion so that I would be guaranteed $\frac{1}{3}$ of the streamflow and Martha Holmes, Rt 3 Box 183, Reedsport, would be guaranteed $\frac{2}{3}$ of the streamflow. a water shortage would be deemed to exist whenever the streamflow would be less than .02 cubic foot per second or 9 gallons per minute. Martha Holmes lives in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of sec 5 T05 R10W, her house is marked on the attached map. When there is greater than .02 cfs or 9 gal./min flow from the unnamed stream .01 cfs shall be guaranteed to the Martha Holmes house on the map.

Joseph Earp March 7 1976

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MAR 11 1976

WATER RESOURCES DEPT. SALEM, OREGON

STATE OF OREGON, } ss.
County of Marion,

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction and completion

In order to retain its priority, this application must be returned to the State Engineer, with

corrections on or before April 5 1976
May 17, 1976

WITNESS my hand this 4th day of February 1976
16th March, 1976

James E. Sexson

Director

STATE ENGINEER

By

Vestal R. Garner

Vestal R. Garner

STATE ENGINEER

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 0.30 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 Fork Smith River and an unnamed stream, being 0.09 c.f.s. for irrigation from North Fork Smith River and 0.01 c.f.s. for domestic and 0.20 c.f.s. for power from an unnamed stream.

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

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. January 7, 1976 for unnamed stream and

The priority date of this permit is March 11, 1976 for N. Fk. Smith River

Actual construction work shall begin on or before June 23, 1977 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1978.

Complete application of the water to the proposed use shall be made on or before October 1, 1979.

WITNESS my hand this 23rd day of June 1976.

James E. Larson
WATER RESOURCES DIRECTOR

Application No. 53838
Permit No. 40455

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 7th day of January 1976, at 11:00 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. of
Permits on page 40455

STATE ENGINEER

Drainage Basin No. 16 page 202

Fees \$ 51.00