

JUL 1 1976

CERTIFICATE NO. 65114

Permit No. 40838

WATER RESOURCES DEPT
Salem, Oregon

*APPLICATION FOR PERMIT

ASSIGNED. See Misc. Rec. Vol. 7 Page 2336

To Appropriate the Public Waters of the State of Oregon

I, Lewis De Luca (Name of applicant)
 of 8217 Wagner Creek Road, Talent. (Mailing address) (City)
 State of Oregon, 97540, do hereby make application for a permit to appropriate the (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 Panther Gulch and De Luca Reservoir (Name of stream), a tributary of EF Williams Cr

2. The amount of water which the applicant intends to apply to beneficial use is 14 cubic feet per second being 12 irrigation, .02 of fish culture, and .02 for maintenance (If water is to be used from more than one source, give quantity from each)
Enough water for 5 acres

3. The use to which the water is to be applied is irrigation and fish culture (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 200' ft. S and 600' ft. E from the N/4 corner of SECTION 11 (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 NE 1/4 of Sec. 11, Tp. 39 S, R. 5 W, W. M., in the county of JOSEPHINE (Give smallest legal subdivision) (N. or S.)

5. The PIPE LINE to be 1400 in length, terminating in the NW 1/4 NE 1/4 of Sec. 11, Tp. 39 S, R. 5 W, W. M., the proposed location being shown throughout on the accompanying map. (Main ditch, canal or pipe line) (Miles or feet) (Smallest legal subdivision) (N. or S.)

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 2 1/2" x 2" Centrifugal (Size and type of pump)
Direct connected to a 10 HP ELECTRIC MOTOR (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, 1400 ft.; size at intake, 2" in.; size at 1400 ft. from intake 2" in.; size at place of use 1 1/2" in.; difference in elevation between intake and place of use, nil 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 |
|-------------------------|---------------------------------------|---------|------------------|------------------------------|
| 39 S | 5 W | 11 | NW 1/4 NE 1/4 | 2 PRIMARY |
| " | " | " | " " | 8 SUPPLEMENTAL |
| " | " | " | " | Fish Culture |
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(If more space required, attach separate sheet)

(a) Character of soil LOAM

(b) Kind of crops raised GARDEN 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, \$.....

12. Construction work will begin on or before AUG 1, 1977

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

14. The water will be completely applied to the proposed use on or before AUG 1, 1979

(Signature of applicant)

Remarks:

PROPERTY DESCRIPTION:
(40 ACRES) NW 1/4 NE 1/4 SEC 11, TWP 39 S R. 5 W

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

40838

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 0.14 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 Panther Gulch and a Reservoir to be constructed under application No. R-54531, permit No. R-5417.

6517 VRG

The use to which this water is to be applied is irrigation and supplemental irrigation, and fish culture, being 0.12 c.f.s. for irrigation and supplemental irrigation and 0.02 c.f.s. for fish culture.

If for irrigation, this appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 4 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir to be constructed under permit No. R- 6517; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein,

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 19, 1976

Actual construction work shall begin on or before December 14, 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 14th day of December, 1976

James E. Larson
WATER RESOURCES DIRECTOR

Application No. 54532
Permit No. 40838

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 19 day of July 1976, at 11 o'clock P. M.

Returned to applicant:

Approved:

Recorded in book No. 40838 of Permits on page

STATE ENGINEER

Drainage Basin No. 15 page 78 Z.17

Fees 5000