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WATER RESOURCES DEPT.
SALEM, OREGON

*APPLICATION FOR PERMIT

Permit No. **41037**

CERTIFICATE NO. **49664**

To Appropriate the Public Waters of the State of Oregon

I, CASEY J. MORGAN and I. JOYCE MORGAN,
(Name of applicant)
of Route 3, Box 3665 Flourney Valley Road, Roseburg,
(Mailing address) (City)
State of Oregon, 97470,
(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 NOT APPLY

1. The source of the proposed appropriation is spring
(Name of stream)
NOT APPLY, a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is 5 gallons per
~~cubic feet per second~~ minute
(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 of yard and garden
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 470 ft. north and 4,356 ft. west from the southeast
(N. or S.) (E. or W.)
corner of Section 16, Township 27 South, Range 7 West Willamette Meridian,
(Section or subdivision)
Douglas County, Oregon, being within the
(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 S.W. 1/4 S.W. 1/4 of Sec. 16, Tp. 27 South,
(Give smallest legal subdivision) (N. or S.)
R. 7 West, W. M., in the county of Douglas
(E. or W.)

5. The pipeline to be 812 feet
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the S.E. 1/4 S.W. 1/4 of Sec. 16, Tp. 27 South,
(Smallest legal subdivision) (N. or S.)
R. 7 West, 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 NOT APPLY 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) NOT APPLY 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, 812 ft.; size at intake, one in.; size at 812 ft. from intake one in.; size at place of use one in.; difference in elevation between intake and place of use, approx. 60 ft. Is grade uniform? yes Estimated capacity, 10 gallons per minute or more

8. Location of area to be irrigated, or place of use Yard and garden

Table with 5 columns: Township North or South, Range E. or W. of Willamette Meridian, Section, Forty-acre Tract, Number Acres To Be Irrigated. Row 1: 27 South, 7 West, 16, S.E. 1/4 S.W. 1/4, 1.5 acres.

(If more space required, attach separate sheet)

(a) Character of soil clay

(b) Kind of crops raised yard and garden

Power or Mining Purposes—

9. (a) Total amount of power to be developed NOT APPLY 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. (No. N. or S.), R. (No. E. or W.), W. M.

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

(g) If so, name stream and locate point of return

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

(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 two

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

- 11. Estimated cost of proposed works, \$1,000.00
- 12. Construction work will begin on or before Now complete
- 13. Construction work will be completed on or before Now complete
- 14. The water will be completely applied to the proposed use on or before Now applied

H. Casey Morgan
(Signature of applicant)
Joyce Morgan

Remarks: The property on which the spring is situated is described in Exhibit "A" attached hereto. The yard and garden to which the water will be applied is described both in Exhibit "B" and Exhibit "C". Exhibit "B" describes a five-acre tract to which Applicants have record title, and which includes most of the yard and garden. Exhibit "C" describes a five-acre tract in a slightly different location (overlapping Exhibit "B" to some extent) which includes all of the yard and garden, and to which Applicants claim title by adverse possession. A suit to establish title by adverse possession has been filed in the Circuit Court in Douglas County, as a cross-complaint, in Case No. 76-0804.

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 5.0 gallons per minute ~~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 a spring

The use to which this water is to be applied is 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 August 23, 1976

Actual construction work shall begin on or before January 12, 1978 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 12th day of January, 1977
James E. Larson
WATER RESOURCES DIRECTOR

Application No. 54698
Permit No. 41037

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 23 day of August, 1976, at 8 o'clock P. M.

Returned to applicant:

Approved:

Recorded in book No. 41037 of

Permits on page

STATE ENGINEER

Drainage Basin No. 16 page 37W

Fees PO