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SEP 10 1976

Permit No. 41078

WATER RESOURCES DEPT
SALEM, OREGON

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, MILTON B. ROGERS

(Name of applicant)

of BOX 3 WARD CREEK

(Mailing address)

MYRTLE POINT

(City)

State of OREGON

97458

(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 PHIL CREEK AND UNNAMED CREEK
(Name of stream) SPRING
a tributary of CATCHING CREEK

2. The amount of water which the applicant intends to apply to beneficial use is
cubic feet per second 0.218 C.F.S. PHIL CREEK 0.213 C.F.S. SPRING 0.005 C.F.S.
(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 0.213 C.F.S.
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)
DOMESTIC 0.005 C.F.S.

4. The point of diversion is located 1175 ft. N and 1950 ft. W from the SE
(N. or S.) (E. or W.)
corner of SECTION 26 BEING WITHIN THE SW 1/4 SE 1/4
(Section or subdivision)
POD #2 290' N AND 1450' W
POD #3 420' N AND 2060' W

(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 SE 1/4 of Sec. 26, Tp. 29 S
(Give smallest legal subdivision) (N. or S.)

R. 13 W, W. M., in the county of COOS
(E. or W.)

5. The 3/4" PLASTIC PIPE FROM SPRING to be 1200'
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SW 1/4 SE 1/4 of Sec. 26, Tp. 29 S
(Smallest legal subdivision) (N. or S.)

R. 13 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 2" INLET, OUTLET CENTRIFUGAL
(Size and type of pump)
3 HP GASOLINE 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, 1200' ft.; size at intake, 3/4 in.; size at ft. from intake in.; size at place of use 3/4 in.; difference in elevation between intake and place of use, ft. Is grade uniform? NO 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
T 29 S	R 13 W	26	SW 1/4 SE 1/4	17 ACRES AND DOMESTIC

(If more space required, attach separate sheet)

(a) Character of soil

(b) Kind of crops raised ORGANIC GARDEN AND HAY

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 ONE

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

11. Estimated cost of proposed works, \$ 1500

12. Construction work will begin on or before Summer 1976

13. Construction work will be completed on or before Sept 1980

14. The water will be completely applied to the proposed use on or before Sept 1980

Milton B. Rogers
(Signature of applicant)

Remarks:

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NOV - 31976

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying
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 December 20, 19 76.

WITNESS my hand this 19th day of October, 19 76

JAMES E. SEXSON
Director STATE ENGINEER

By Vestal R. Garner
Vestal R. Garner

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 0.215 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 Phil Creek and a spring.

The use to which this water is to be applied is irrigation and domestic use for one family, being 0.21 c.f.s. from creek for irrigation and 0.005 c.f.s. from spring for domestic.

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 September 10, 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. Lanyon
WATER RESOURCES DIRECTOR

Application No. 54761
Permit No. 41078

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 10 day of September, 1976 at 8 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. _____ of _____
Permits on page 41078

STATE ENGINEER

Drainage Basin No. 17 page 22 w

Fees 45.00