

RECEIVED

Permit No. 41160

OCT 11 1976

WATER RESOURCES DEPT' \*APPLICATION FOR PERMIT  
SALEM, OREGON

To Appropriate the Public Waters of the State of Oregon

I, FRANCIS M. SPENCER (Name of applicant)  
of 97 SIERRA VISTA (Mailing address), MT. VIEW (City)  
State of CALIFORNIA, 94043 (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 SPRING AREA & SOUTH MYRTLE CREEK (Name of stream), a tributary of MYRTLE CREEK

2. The amount of water which the applicant intends to apply to beneficial use is 0.07 cfs cubic feet per second (W) 0.01 - SPRING AREA (W) 0.06 SO. MYRTLE CRK. (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 BOTH SOURCES - IRRIGATION (Irrigation, power, mining, manufacturing, domestic supplies, etc.)  
SPRING TO BE SUPPLEMENTED BY SO. MYRTLE CREEK.

4. The point of diversion is located 100 ft. S and 1350 ft. W from the NE corner of SEC. 23 (Section or subdivision)

(2) 1120 ft. S AND 1120 ft. W FROM THE NE CORNER OF SECT. 23

(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 NE (2) NE NE of Sec. 23, Tp. 29S (Give smallest legal subdivision) (N. or S.)

R. 4W (E. or W.), W. M., in the county of DOUGLAS

5. The PIPELINE (Main ditch, canal or pipe line) to be ± 700 ft (Miles or feet) in length, terminating in the NW 1/4 NE 1/4 of Sec. 23, Tp. 29S (Smallest legal subdivision) (N. or S.)

R. 4W (E. or W.), W. M., the proposed location being shown throughout on the accompanying map.

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 HAVE NOT OBTAINED PUMP, PROPOSED 5 HP CENTRIFUGAL ELECT. (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, ..... ft.; size at intake, ..... in.; size at ..... ft. from intake ..... in.; size at place of use ..... in.; difference in elevation between intake and place of use, ..... ft. Is grade uniform? ..... 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
29 S	4 W	23	NE 1/4 NE 1/4	5 1/2 SO. INC.
				0 5 SPRING AREA.

(If more space required, attach separate sheet)

(a) Character of soil .....

(b) Kind of crops raised ..... PASTURE & LAWN & SMALL TREE FRUITS

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 .....

Municipal or Domestic Supply—

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 Oct. 1, 1977
- 13. Construction work will be completed on or before Oct. 1, 1978
- 14. The water will be completely applied to the proposed use on or before Oct. 1, 1979

*Francis M. Spencer*  
(Signature of applicant)

Remarks: .....

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 0.07 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 South Myrtle Creek and a spring, being 0.06 c.f.s. from the creek and 0.01 c.f.s. from the spring. Water to be diverted from the spring when available with any deficiency in the available supply from the spring to be made up by appropriation from the creek.

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 October 11, 1976

Actual construction work shall begin on or before January 14, 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

Extended to Oct. 1 1980

WITNESS my hand this 14th day of January, 19 77

*James E. Sisson*  
WATER RESOURCES DIRECTOR

Application No. 54874  
Permit No. 41160

**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 11 day of October  
19 76, at 8 o'clock A. M.

Returned to applicant:  
  
Approved:

Recorded in book No. \_\_\_\_\_ of  
Permits on page 41160

STATE ENGINEER  
Drainage Basin No. 16 page 37w  
Fees 3.00