

STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIVED
 OCT 24 1980
 WATER RESOURCES DEPT
 SALEM, OREGON

Application for Permit to Appropriate Surface Water

I, James W. Havstad (Name of Applicant)

of 211 Mill Creek Drive (Mailing Address), Prospect (City)

State of Oregon (Zip Code) 97536 Phone No. (503) 560-3221 do hereby

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is Mill Creek, by way of the
Nye Ditch, a tributary of Rogue River.

2. The point of diversion is to be located 1860 ft. N (N. or S.) and 2690 ft. E (E. or W.)
 from the S.W. corner of Section 28 T. 32 S. R. 3 E. W. M. (Public Land Survey Corner)

Diversion from Nye Ditch is along the east boundary of the N.E.
 (If there is more than one point of diversion, each must be described)
1/4 of the N.E. 1/4 of section 10 T. 33 S. R. 2 E. W. M.

Diversion from Mill Creek being within the N.W. 1/4 of the S.E. 1/4 of
 Sec. 28 Tp. 32 S R. 3 E, W. M., in the county of Jackson

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
33 S	2 E.W.M.	10	NE 1/4 of SE 1/4	Domestic

4. The amount of water which the applicant intends to apply to beneficial use is 0.01

cubic feet per second.....

(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is Domestic

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

Nye Ditch diversion from Mill Creek and pipe line diversion from Nye Ditch are described in Application No. 47772 Permit No. 35779 of 1970, in name of Robert L. Conger (Mill Creek and Misc. Vol. 2) Gravity-feed 2 inch diameter pipeline is approximately 2600 feet long.

If for domestic use state number of families to be supplied 1

7. Construction work will begin on or before

8. Construction work will be completed on or before

9. The water will be completely applied to the proposed use on or before

Application No. 60937

Permit No. 45315

Remarks: Water use for which application is made has been provided to previous owner of property since at least 1972 by Nye Ditch Users Association. I purchased property in Feb., 1980, and have just learned that no application had been made. A separate agreement with Robert L. Conger for joint use of pipeline will be made pending approval of this application. This will formalize present facilities and usage.

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Signature of Applicant
James M. Harstad

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 Water Resources Director with corrections on or before January 14, 19 81

WITNESS my hand this 14 day of November 19 80

James E. Sexson Water Resources Director

By *Wayne J. Overcash*
Wayne J. Overcash

RECEIVED
NOV 18 1980
WATER RESOURCES DEPT
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

24 day of *October*, 19 80, at 8:00 o'clock

A.M.

Application No. 60937

Permit No. 45315

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Application No. 60937

Permit No. 45315

Permit to appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD 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 0.005 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 Mill Creek

The use to which this water is to be applied is domestic use for one family.

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated

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 24, 1980

Actual construction work shall begin on or before January 5, 1982 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1982

Complete application of the water to the proposed use shall be made on or before October 1, 1983

WITNESS my hand this 5th day of January, 1981

James E. Lusk
Water Resources Director