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affidavit of ownership
to app. vol. 2-p-226

* Permit No. 4803

CERTIFICATE NO. 5294
37360 37360

APPLICATION FOR A PERMIT TO APPROPRIATE PUBLIC WATERS

To appropriate the Public Waters of the State of Oregon

H W Hermann, Thomas Langhead, W C Dement,

I, Burgess Hargis, J H Morrison and Noble Andrews
(Name of Applicant)

of Myrtle Creek, County of Douglas

State of Oregon, 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 North Myrtle Creek
(Name of stream)

tributary of South Umpqua River

2. The amount of water which the applicant intends to apply to beneficial use is 1.75
cubic feet per second.

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

4. The point of diversion is located 13.09 North and 0.46 chains West from the SW cor. of the Henry Jones D.L.C. No. 48 in Tp. 29 S R 5 W
(Give distance and bearing to section corner)

being within the SE 1/4 of SW 1/4 of Sec. 14, Tp. 29 S
(Give smallest legal subdivision) (No. N. or S.)
R. 5 W, W. M., in the county of Douglas
(No. E. or W.)

5. The main ditch to be 1.8
(Main ditch, canal or pipe line)
miles in length, terminating in the NW 1/4 of NE 1/4 of Sec. 27, Tp. 29 S
(Smallest legal subdivision) (No. N. or S.)
R. 5 W, W. M., the proposed location being shown throughout on the accompanying map.
(No. E. or W.)

6. The name of the ditch, canal or other works is North Myrtle Creek Irrigation Ditch

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 5 feet, length on top 52 feet, length at bottom 45 feet; material to be used and character of construction Timber Crib, wasteway over dam
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Timber, 1 opening 2' X 3'
(Timber, concrete, etc., number and size of openings)

* A different form of application is provided where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

Certs. #52958 thru 52977
Supervised by
Cert. No. 53309

CANAL SYSTEM—

8. (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) 3 feet; width on bottom 2 feet; depth of water 1.5 feet; grade 0.8 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.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR:

IRRIGATION—

9. The land to be irrigated has a total area of 141 acres, located in each smallest legal subdivision, as follows:

- 10 acres in SE 1/4 of SW 1/4 Sec. 14
3 acres NE 1/4 of NW 1/4 and
5 acres in NW 1/4 of NW 1/4 Sec. 23,
17 acres in SE 1/4 of NE 1/4
3 acres in SW 1/4 of NE 1/4
5 acres in NE 1/4 of SE 1/4
5 acres in NW 1/4 of SE 1/4
20 acres in SW 1/4 of SE 1/4 Sec. 22,
40 acres in NW 1/4 of NE 1/4
12 acres in NE 1/4 of NE 1/4 and
21 acres in NE 1/4 of NW 1/4 Sec. 27

All in Tp 29 S R 5 W.

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed _____ theoretical horsepower.

(b) Total fall to be utilized _____ feet.

(Head)

(c) The nature of the works by means of which the power is to be developed _____

(d) Such works to be located in _____ of Sec. _____

(Legal subdivision)

Tp. _____, R. _____, W. M.

(No. N. or S.) (No. E. or W.)

(e) Is water to be returned to any stream? _____

(Yes or No)

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

_____, Sec. _____, Tp. _____, R. _____, W. M.

(No. N. or S.)

(No. E. or W.)

(g) The use to which power is to be applied is _____

(h) The nature of the mines to be served _____

MUNICIPAL SUPPLY—

11. To supply the city of
..... County, having a present population of, and an
(Name of)
estimated population of in 19.....

(Answer questions 12, 13, 14 and 15 in all cases)

12. Estimated cost of proposed works, \$.....

13. Construction work will begin on or before As soon as permit is granted

14. Construction work will be completed on or before June 1st, 1921

15. The water will be completely applied to the proposed use on or before
June 15, 1921

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Water Board, accompany this application.

H W Hermann

(Name of applicant)
Thomas Langhead

W C Ement

Noble Andrews

Burgess Hargis

J H Morrison

Signed in the presence of us as witnesses:

(1) Frank Cain
(Name)

Riddle, Ore.
(Address of Witness)

(2) A W Caswell
(Name)

Myrtle Creek, Ore.
(Address of Witness)

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 correction or completion, as follows:

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.

Application No. 7550

Permit No. 4803

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 25 day of September, 1920 at 8:30 o'clock A.M.

Returned to applicant for correction

Corrected application received

Approved:

Oct. 20, 1920

Recorded in Book No. 17 of Permits, on Page 4803

Percy A. Cupper State Engineer.

1 map RS

\$20.05

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

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: If for irrigation, this appropriation shall be limited to one-eightieth 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 right herein granted is limited to the appropriation of water from North Myrtle Creek for irrigation purposes.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 1.75 cubic feet per second, or its equivalent in case of

rotation. The priority date of this permit is September 25, 1920.

Actual construction work shall begin on or before October 20, 1921 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1922 4/23

Complete application of the water to the proposed use shall be made on or before October 1, 1924

WITNESS my hand this 20th day of October, 1920

Percy A. Cupper

State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Section 6633, Lord's Oregon Laws, and the payment of annual fees as provided in Chapter 213, Session Laws of 1915.