

ASSIGNED, See Misc. Rec. Vol. 1, Page 272

RESERVOIR PERMIT NO. 50

ASSIGNED, See Misc. Rec. Vol. 2, Page 613

APPLICATION FOR A PERMIT TO USE AND COMPLETE RESERVOIRS AND TO STORE FOR BENEFICIAL USE THEREIN, UNAPPROPRIATED WATERS OF THE STATE OF OREGON.

I, FRED N. CUMMINGS of Medford, Jackson County, State of Oregon, do hereby make application for a permit to use and complete the following described reservoirs and to store unappropriated waters of the State of Oregon, subject to existing rights.

1. The names of the proposed reservoirs are:-

Four Mile Lake, situate and being in Klamath County, State of Oregon;

Also FISH LAKE, situate and being in Jackson County, State of Oregon;

both of which and each of which are to be used as storage reservoirs for the same system for conducting and distributing waters for irrigation, municipal, power and manufacturing purposes, and which reservoirs constitute a part and parcel of the system of water storage, diversion and application for beneficial use, heretofore partially installed by the FISH LAKE WATER COMPANY of Medford, Oregon, and hereafter to be completed and perfected in its application to such beneficial use by the undersigned, or his successors in interest and assigns.

2. The name of the streams - and the sources of water supply from which the waters stored and to be stored in each of said lakes shall be diverted, and which have been appropriated for that purpose is not specifically stated, but that the source of water supply therefor, embraces all of the waters of FOUR MILE LAKE and its tributaries, and of the flood, storm, new, discovered, developed, salvage, excess, reclaimed, surplus and captured waters thereof.

The waters of FOUR MILE LAKE are to be conducted by a canal of the following size, to wit: Having a bottom width of Six (6) feet, and a width on top of Nine and five-tenths (9.5) feet, a depth of three and five-tenths (3.5) feet and a slope of one (1) foot in One thousand (1000) feet.

From FOUR MILE LAKE to FISH LAKE said canal is likewise designed to serve as, and there is now appropriated for use and storage thereby, all waters which shall drain into said canal as a catchment canal. The said waters also embrace all of the waters of FISH LAKE and its tributaries, and all of the flood, storm, new, developed, discovered, salvage, excess, reclaimed, surplus and captured waters thereof.

The streams which feed the said lakes are not named.

3. The amount of water to be stored in FOUR MILE LAKE is 33,000 acre feet.

The amount of water to be stored in FISH LAKE is 22,550 acre feet.

4. The use to be made of impounded water is: For irrigation, power, domestic use,

municipal supply and manufacturing.

5. The location of each of said reservoirs is as follows, to-wit:

FOUR MILE LAKE in the Southeast Quarter of Section thirty-one (31) Township thirty-five South Range Five (5) East W.M. and the Northeast Quarter of Section Six (6), middle of Section Five (5) and the Northeast Quarter of Section Eight (8), Township Thirty-six (36) South Range Five (5) East W. M.

FISH LAKE in the Southeast Quarter of Section Thirty-four (34), Township Thirty-six (36) South Range Four (4) East W. M., and the Northwest Quarter of Section Two (2) and the Southwest Quarter of Section Three (3) in Township Thirty-seven (37) South Range Four (4) East W. M.

(a) FOUR MILE LAKE is not situated in the channel of any running stream. The character of material at outlet of Lake is Rock and Earth.

FISH LAKE is not situated in the channel of any running stream. The character of material at outlet of Lake is Rock and Earth.

(b) FOUR MILE LAKE RESERVOIR is to be filled from the run-off, from its surrounding water shed.

FISH LAKE RESERVOIR is to be filled from the run-off from its surrounding water shed, and by conducting the waters of FOUR MILE LAKE through the feed canal above described in Section Two (2).

It is proposed to complete said Reservoirs as follows:

FOUR MILE LAKE OR RESERVOIR -

By adopting the natural reservoir for a storage basin to its entire capacity, and by constructing across the Mouth of FOUR MILE LAKE, a dam sufficient to raise the waters thereof to a depth of Thirty (30) additional feet to the waters naturally impounded therein, - thus completing the construction of said reservoir.

FISH LAKE RESERVOIR-

By adopting the natural reservoir for a storage basin to its entire capacity, and by constructing across the Mouth of Fish Lake, a dam sufficient to raise the waters thereof to a depth of Forty-five (45) additional feet to the waters naturally impounded therein, - thus completing the construction of said reservoir.

The applicant herein is the successor in interest of the FISH LAKE WATER COMPANY, a corporation organized under the laws of Oregon, which corporation has heretofore appropriated and sought to divert certain waters of LITTLE BUTTE CREEK and head waters and tributaries and sources of water supply, which sources of water supply include the above lakes.

THE FISH LAKE WATER COMPANY has heretofore acquired from the Government of the United States, through the Department of the Interior, a right to the use of said Lakes for impounding water, and a right of way over the land covered by the water heretofore proposed to be stored therein, and a right of way for the canal connecting said lakes as above described.

By this application for the amendment and enlargement to the rights which this petitioner has acquired as successor in interest of the FISH LAKE WATER COMPANY, in and to the reservoirs and canals described, it is sought to raise the waters of said lakes to a height of Five (5) and Fifteen (15) feet respectively in addition to that heretofore authorized by the Government of the United States, through the Department of the Interior, which raise above the previous storage of said lakes is Thirty (30) and Forty-five (45) feet respectively above the bodies of water naturally stored in said lakes.

6. The Dam will be located in, -

The Dam will be constructed at the Mouth or outlet of FOUR MILE LAKE, will be located on unsurveyed land of the United States, which when surveyed, will be described as nearly as now can be given as follows: In the Northeast Quarter of Section Eight (8) Township Thirty-six (36) South Range Five (5) East, W. M.

which  
The Dam will be constructed at the Mouth or outlet of FISH LAKE will be located on unsurveyed land of the United States, which when surveyed will be described as nearly as now can be given as follows:

In the Northwest Quarter of Section Ten (10) Township Thirty-seven (37) South of Range Four (4) East, W. M.

The Dam at the Mouth or outlet of FOUR MILE LAKE will be Thirty-five (35) feet in height, and a length on top of Sixteen hundred (1600) feet; length on bottom Twenty (20) feet; width on top twelve (12) feet; slope of front or water side Three (3) feet (horizontal to one vertical) slope on back Two (2) feet (horizontal to one vertical.)

Height of dam above water line when full Five (5) feet.

The Dam at the Mouth or outlet of FISH LAKE will be Fifty (50) feet in height, and a length on top of Twelve hundred (1200) feet; length on bottom Twenty (20) feet; width on top Twelve (12) feet; slope of front or water side Two (2) feet (horizontal to one vertical); slope on back One (1) foot (horizontal to one vertical.)

Height of Dam above water line when full Five (5) feet.

7. (a) The construction of the Dam at the Mouth of FOUR MILE LAKE, the material of which it is to be built and the method of protection from waves are as follow: Rock and Earth wetted and rolled, timber diaphragm set in concrete, cut-off wall, water face, hand laid rock.

(b) The construction of a Dam at the Mouth of FISH LAKE, the material of which it is to be built, and the method of protection from waves are as follows: Same as for FOUR MILE LAKE DAM.

8. The locations of waste-ways with dimensions are as follows:

For FOUR MILE LAKE -

One hundred (100) feet in length over crest of Dam.

For FISH LAKE-

One hundred (100) feet in length through rock cut around Dam.

9. The location of outlet from the proposed reservoirs with character of construction and dimensions, are as follows:

(a) For a dam at the Mouth of FOUR MILE LAKE, to-wit: Double riveted steel pipe Thirty-six (36) inches in diameter, located through center of Dam.

(b) For a dam at the Mouth of FISH LAKE, to-wit: Re-inforced concrete pipe Sixty (60) inches in diameter located at one side of Creek bed.

10. The area submerged by the proposed reservoirs when full, will be,

(a) FOUR MILE LAKE, 1280 acres with a maximum depth of Thirty (30) feet, and an approximate mean depth of Twenty-six (26) feet.

(b) FISH LAKE, 550 acres with a maximum depth of Forty-five (45) feet, and an approximate mean depth of Forty-one (41) feet.

11. The estimated cost of the proposed work is \$100,000.00.

12. Construction work will begin on or before One (1) year from date of approval of this application.

13. Construction work will be completed on or before Five (5) years from the date of approval of this application.

Duplicate maps of the proposed reservoirs and storage works are prepared in accordance with the rules of the Board of Control, accompanying this application.

LIST OF ACCOMPANYING MAPS.

1 TRACING FOUR MILE TRAVERSE,  
 1 BLUE PRINT FOUR MILE TRAVERSE,  
 1 TRACING FOUR MILE CONTOUR, DAM SITE AND PLAN,  
 1 BLUE PRINT FOUR MILE CONTOUR, DAM SITE AND PLAN,  
 1 TRACING FOUR MILE DETAILS OF DAM,  
 1 BLUE PRINT FOUR MILE DETAILS OF DAM,

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1 TRACING CONNECTION CANAL TRAVERSE,  
 1 BLUE PRINT CONNECTING CANAL TRAVERSE,

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1 TRACING FISH LAKE TRAVERSE,  
 1 BLUE PRINT FISH LAKE TRAVERSE,  
 1 TRACING FISH LAKE CONTOUR, DAM SITE AND PLAN,  
 1 BLUE PRINT FISH LAKE CONTOUR, DAM SITE AND PLAN,  
 1 TRACING FISH LAKE DETAILS OF DAM,  
 1 BLUE PRINT FISH LAKE DETAILS OF DAM.

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REMARKS:

This application is intended as amendatory and supplemental for the enlargement and completion of the rights heretofore acquired by the FISH LAKE WATER COMPANY, a corporation organized and existing under the laws of the State of Oregon, with its principal place of business at Medford, Jackson County therein, which rights were acquired by said Company from the United States Government by virtue of, and in compliance with the Provisions of the Act of March 3, 1891 (Sections XVIII, XIX, XX and XXI) thereof, all of which requirements the said FISH LAKE WATER COMPANY complied with for the acquisition of a right of way over lands covered by submerged waters, except as to the additional Five (5) and Fifteen (15) feet respectively described herein; Also right-of-way for said conduit or canal, conducting the waters of FOUR MILE LAKE: Also right -of-way for the lands submerged by the waters described as being stored or thereafter to be

stored in FISH LAKE, which includes all the waters referred to herein, except the added Fifteen (15) feet thereof; which application of the FISH LAKE WATER COMPANY was filed with the Department of the Interior of the United States Government, by filing the same at Roseburg, Oregon, in due form, on June 23, 1907, which said application was approved by the Commissioner of the United States, General Land Office on February 8th, 1907. And thereupon and thereafter on June 17th, 1907 by LETTER "F" 1906, 179739

M. N. SUBJECT-FISH LAKE WATER COMPANY; ACCEPTING MAPS OF RESERVOIRS for filing; Addressed to Register and Receiver of United States General Land Office at Roseburg, Oregon. (Signed) Fred Dennett,

was finally approved and accepted by the United States Government, and thereupon, the right of the FISH LAKE WATER COMPANY to use the depression covered by the waters of FOUR MILE LAKE for storage reservoir purposes, and the rights to use the depression covered by waters of FISH LAKE FOR STORAGE PURPOSES, and the right-of-way for the conduit or canal connecting said lakes as herein described became vested in the FISH LAKE WATER COMPANY.

Your petitioner does not surrender, but hereby reserves to himself as successor of said FISH LAKE WATER COMPANY, all rights so acquired by it from the United States, and seeks in addition thereto, the right to store the addition Five (5) and Fifteen (15) feet of water as well as the right to store all of the waters of FOUR MILE LAKE naturally impounded therein with its tributaries, and the new, storm, flood, discovered, developed, salvage, excess, reclaimed, surplus and captured waters thereof, in said depression forming the ground covered by FOUR MILE LAKE; and also the right to store in the depression covered by the waters of FISH LAKE, all of the waters naturally impounded therein, together with sufficient waters to be conducted thereto for storage hereinbefore cited,-together with the new, storm, flood, developed, salvage, excess, reclaimed, surplus and captured waters of said Lake and its tributaries; to raise the level of FISH LAKE to the height to which the proposed dam hereinbefore specified will raise it, and to raise the waters of FOUR MILE LAKE to the height to which the proposed Dam hereinbefore described will raise it.

Fred N. Cummings  
Name of Applicant  
Medford  
Oregon

SIGNED IN THE PRESENCE OF US AS WITNESSES:

(1.) A T Brown , Medford, Ore  
(Name) (Address of Witness)

(2) Irving Worthington , "  
(Name) March 28th, 1910

STATE OF OREGON )  
 ) ss.  
COUNTY OF MARION )

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\_\_\_\_.

W I T N E S S my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
(State Engineer)

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: Limited to the storage of 33,000 acre feet in Four MILE LAKE and 22,500 acre feet in FISH LAKE.

Actual construction work shall begin on or before Sept. 12, 1911, and shall thereafter be prosecuted with reasonable diligence, and be completed on or before

Sept. 12, 1915. EXTENDED TO 9/12/18 EXTENDED TO 10/1/24  
Extended to Oct. 1, 1934  
Extended to Oct. 1, 1935  
Extended to Oct. 1, 1936 B-  
Extended to Oct. 1, 1937  
Extended to Oct. 1, 1938  
" " 10-1-43  
Extended to Oct. 1, 1948  
Extended to Oct. 1, 1968  
Extended to Oct. 1, 1971

WITNESS MY HAND this 12th day of Sept. 1910.

John H. Lewis,  
State Engineer

A P P L I C A T I O N   N O .   590

R E S E R V O I R   P E R M I T   N O .   50

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P E R M I T

T O   C O N S T R U C T   A   R E S E R V O I R   A N D   S T O R E  
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T E D   W A T E R S   O F   T H E   S T A T E   O F   O R E G O N .

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D I V I S I O N   N O .     1     D I S T R I C T   N O .         

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This Instrument was first received in  
the office of the State Engineer at  
Salem, Oregon,  
on the 31st day of March

1910 at 10.00 o'clock A. M.

RETURNED TO APPLICANT FOR  
CORRECTION

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C O R R E C T E D   A P P L I C A T I O N   R E C E I V E D

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A P P R O V E D  
S E P   12   1910

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Recorded in Book No. 1 of Reservoirs  
on Page 50

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**John H. Lewis**  
State Engineer, §3 & 5