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STATE ENGINEER  
SALEM OREGON

CERTIFICATE NO. 65101

\* Reservoir Permit No. R 6160

# Application for a Permit to Construct a Reservoir and to Store for Beneficial Use the Unappropriated Waters of the State of Oregon

I, Modoc Orchard Company by Ben Darras  
(Name of Applicant)

of 9934 Modoc Road, Central Point,  
(Mailing Address)

State of Oregon 97501, do hereby make application for a permit to construct the following described reservoir and to store the unappropriated waters of the State of Oregon, subject to existing rights.

If the applicant is a corporation, give date and place of incorporation

1. The name of the proposed reservoir is Modoc Reservoirs #2 & #3.

2. The name of the stream from which the reservoir is to be filled and the appropriation made is #1 and #2 Unnamed Streams and Rogue River,  
tributary of Pacific Ocean.

3. The amount of water to be stored is #2 - 6.8 ac. ft. & #3 - 8.1 acre feet.

4. The use to be made of the impounded water is temperature control.  
(Irrigation, power, domestic supply, etc.)

5. The location of the proposed reservoir will be in Sec. 12  
(Give sections or townships to be submerged)

Tp. 36 S., R. 2 W., W.M., in the county of Jackson.

(a) State whether situated in channel of running stream and give character of material at outlet  
#2 Reservoir in channel of #1 Unnamed Stream and #3 Reservoir in channel #2 Unnamed Stream - clay soil and sandstone at outlets.

(b) If not in channel of running stream, state how it is to be filled. If through a feed canal, give name and dimensions  
when any deficiency of water occurs in #1 or #2 Unnamed Streams, it will be made up from Rogue River by use of Table Rock Ditch.

6. The dam will be located in #2 - NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>; #3 - NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 12,  
(Smallest legal subdivision)  
Tp. 36 S., R. 2 W., W.M. The maximum height will be 10 feet above stream bed or ground surface on center line of dam. The length on top will be #2 - 480' & #3 - 350 feet; length on bottom #2 - 325'; #3 - 200 feet; width on top #2 - 10'; #3 - 20 feet; slope on front or water side 1:1 (both); slope on back 1:1 (both); height of dam above water line  
(Feet horizontal to 1 vertical) (Feet horizontal to 1 vertical)  
when full 2.5 (both) feet.

\* A different form of application should be used for the appropriation of stored water to beneficial use. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

7. The construction of dam, the material of which it is to be built, and method of protection from waves are as follows: both dams constructed of fill material excavated from storage area - clay soil and sandstone.

8. The location of wasteway with dimensions are as follows: Around west end on both dams, being 8' bottom width, 20' top width, 2.5' depth on #2 Dam and 4' bottom width, 8' top width, and 2.5' depth on #3 Dam.

9. The location of outlet from the proposed reservoir, with character of construction and dimensions, are as follows: Bypass channels to be constructed around each dam to bypass natural flow.

10. The area submerged by the proposed reservoir, when full, will be #2 - 0.8 ac. and #3 - 0.9 ac. with a maximum depth of water of 12' (both) see remarks feet; and approximate mean depth of water #2 - 8.5'; #3 - 9.0 feet.

11. The estimated cost of the proposed work is \$ 6,000.00.

12. Construction work will begin on or before one year from date of priority.

13. Construction work will be completed on or before October 1, 1975.

By Ben Datta (Signature of applicant)

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

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before

WITNESS my hand this day of 19

STATE ENGINEER

By ASSISTANT

Remarks: Storage area on both dams mostly made through excavation of material below natural ground surface.

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 the following limitations and conditions: The right herein granted is limited to the construction of Modoc Reservoir No. 2 and storage of 6.8 a.f. from stream No. 1 and construction of Modoc Reservoir No. 3 and storage of 8.1 a.f. from stream No. 2 to be appropriated under application No. 49916, Permit No. 38079 for temperature control.

The right hereunder shall be limited to the storage of 14.9 acre feet.

The priority date of this permit is December 13, 1972

Actual construction work shall begin on or before September 10, 1976 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1977.

WITNESS my hand this 10th day of September, 1975.

*James E. Sepp*  
Water Resources Director

EXAMINER

A  
F.A.

Application No. *R 19915*

Reservoir Permit No. **R 6160**

**PERMIT**

To construct a reservoir and store for beneficial use the unappropriated waters of the State of Oregon.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the *13th* day of *December*, 19*22*, at *11:15* o'clock *A*.M.

Returned to applicant:

Approved:

Recorded in Book No. .... of Reservoirs, on Page **R 6160**

State Engineer

Drainage Basin No. *15* page *173A*

Fees *170.00*