

\* APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, Sterling Mines Inc. of Medford, 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 14th day of October, 1933, at office of Sec. of State, Delaware, U. S. A.

1. The source of the proposed appropriation is Sterling Creek, below junction of Armstrong Gulch, a tributary of Little Applegate River

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

3. The use to which the water is to be applied is Manufacturing (concentration mill)

4. The point of diversion is located approx. 700 ft. north and approx. 580 ft. west from the corner of between Secs. 8 and 17, Township 39 South, Range 2 West, W.M.

being within the SE 1/4 SW 1/4 of Sec. 8, Tp. 39 S

R. 2 W., W. M., in the county of Jackson

5. The pipe line to be approx. 13000 ft. in length, terminating in the SE 1/4 SW 1/4 of Sec. 33, Tp. 38 South

R. 2 West, W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the ditch, canal or other works is Sterling Pipe Line

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 2 1/2 feet, length on top 60 to 70 feet, length at bottom same feet; material to be used and character of construction Reinforced concrete

(b) Description of headgate Weir crest - water diverted from sump in gravel above dam.

\* 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.



It is proposed to construct a concrete dam across the bed and into the bank of Sterling Creek, just below the junction of Armstrong Gulch in such a manner as to catch the entire surface and subsurface flow of Sterling Creek at this point, said dam shall not be higher than  $2\frac{1}{2}$  feet above the present bed of said creek. It is proposed to dig a well or sump in the gravel above said dam and to pump approximately 1 cubic foot per second of the waters accumulated by reason of said dam thru a pipe line to a point approximately 13,000 feet upstream to an elevation of approximately 600 feet above the said dam, where said water will be used in connection with a concentrating mill operation, none of which water is consumed but all of which water is returned to Sterling Creek at this point.

During the period when water is flowing thru the Sterling Mining Ditch sufficient water will be available for use in the concentrating mill operation directly out of the Sterling Mining Ditch. Therefore, it will not be necessary to carry on the proposed pumping operation until such time as the water is cut out of the Sterling Mining Ditch. It is proposed immediately upon the shutting off of the waters in the Sterling Mining Ditch at the end of each mining season to start the pump and elevate part of the run-off waters from the hydraulic mining operations, thereby storing in the mile and one-half of creek bed gravel above the hydraulic operations, which lie three-quarters of a mile above the proposed dam site, a sufficient supply of extra water to assure an additional quantity of water equal to approximately 40 acre feet that will flow for about twenty days beyond the present usual normal summer flow in Sterling Creek at the proposed dam. NOTE: This quantity is arrived at by estimating that the normal existing condition is such that it takes approximately twenty days after the Sterling Mining Ditch is cut off for the hydraulic mining waste water to flow past the point of diversion at the proposed dam site, therefore, if one cubic foot per second of these surplus waters is delivered to the gravel one and one-half miles above the hydraulic mining operations, beginning at the time the water is shut off in the mining ditch, that the total quantity pumped will equal approximately 40 acre feet and that this quantity of water will find its way down stream as sub-surface water and will keep the gravel bed saturated as an additional storage for an extra period of time equal to at least twenty days when flowing at a rate of one cubic foot per second.

In addition to the proposed storage created by the pumping of the surplus waste waters upstream it is proposed to, at the end of the mining season, store from twelve to fifteen acre feet of water in the reservoirs at the terminus of the Sterling Mining Ditch and to later release this storage supply into Sterling Creek as the natural stream flow begins to fail.

By conserving the waters in this manner, it is planned to operate the concentrating plant for twelve months each year. It is believed that the beneficial use of the waters will be exercised without injury to others, but on the contrary may act as a benefit to other users of the waters of Sterling Creek. This point has been agreed upon by all concerned at the

present time who have water rights on Sterling Creek and an agreement has been drawn up between the owners of water rights on Sterling Creek and the Sterling Mines, Inc. satisfactory to both parties regarding Sterling Creek waters used during the period when pumping is necessary.



Application No. 15750

Permit No. 11612

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Division No. District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 15th day of March, 1935, at 1:50 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

May 29, 1935

Recorded in book No. 32 of Permits on page 11612

CHAS. E. STRICKLIN STATE ENGINEER

15-363 L

\$10.00

STATE OF OREGON, } ss. County of Marion,

PERMIT

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 amount of water which can be applied to beneficial use and shall not exceed 1.0 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 Sterling Creek

The use to which this water is to be applied is Manufacturing (concentration mill)

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 March 15, 1935

Actual construction work shall begin on or before May 29, 1936 and shall thereafter be prosecuted with reasonable diligence and be completed on or before Oct. 1, 1937

Complete application of the water to the proposed use shall be made on or before Oct. 1, 1938

WITNESS my hand this 29th day of May, 1935

CHAS. E. STRICKLIN

STATE ENGINEER

Permits for power development are subject to the limitation of franchise as provided in section 5728, Oregon Laws, and the payment of annual fees as provided in section 5803, Oregon Laws.