

*APPLICATION FOR A PERMIT

CERTIFICATE NO. 34154

To appropriate the Public Waters of the State of Oregon

I, John E. Smith and Errol I. Smith, Administratrix of Applegate, County of Josephine, 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 O'Brien and Sterges Forks of Carberry Creek, tributaries of Big Applegate a tributary of Rogue River

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

**3. The use to which the water is to be applied is Irrigation

4. The point of diversion is located SEE ATTACHED SHEET ft. and ft. from the corner of

being within the of Sec. Tp. R. W. M., in the county of

5. The SEE ATTACHED SHEET to be in length, terminating in the of Sec. Tp. R. W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

DIVERSION WORKS—

6. (a) Height of dam 4 feet, length on top 30 feet, length at bottom 25 feet; material to be used and character of construction

(b) Description of headgate 3' x 1' Lumber

(c) If water is to be pumped give general description

* A different form of application is provided where storage works are contemplated. ** Applications for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission.

CANAL SYSTEM OR PIPE LINE—

7. (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 feet; grade 2 to 3 feet fall per one thousand feet.

(b) At miles from headgate: width on top (at water line) all ditches approx. same size feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(c) Length of pipe, ft.; size at intake, in.; size at ft. from intake in.; size at place of use in.; difference in elevation between intake and place of use, ft. Is grade uniform? Estimated capacity, sec. ft.

8. Location of area to be irrigated, or place of use

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
39 S.	5 W.	24	NW $\frac{1}{4}$ SE $\frac{1}{4}$	8 (New)
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	8 (6 acres New & 2 Suppl.)
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	10 (New)
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	25 (10 Acres New & 15 " Suppl.)
				51

(If more space required, attach separate sheet)

(a) Character of soil Bottom Loam

(b) Kind of crops raised General Farm Products

POWER OR MINING PURPOSES—

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

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized feet.
(Head)

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

(e) Such works to be located in of Sec.
(Legal subdivision)

Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(f) Is water to be returned to any stream?
(Yes or No)

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

....., Sec., Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

Question No. 4: The points of diversion are as follows:

- (1) To Bingham and Presley Ditch:
2600 feet west and 110 north from the southeast corner of section 25, being within the $\text{SW}\frac{1}{4}$ $\text{SE}\frac{1}{4}$.
- (2) To Houstin Ditch:
1905 feet west and 740 feet south from the southeast corner of section 24, being within the $\text{NW}\frac{1}{4}$ $\text{NE}\frac{1}{4}$.
- (3) To Miller Ditch:
1995 feet west and 500 feet south from the southeast corner of section 24, being within the $\text{NW}\frac{1}{4}$ $\text{NE}\frac{1}{4}$, all in Township 39 South, Range 5 West, W. M. Section 25.

Question No. 5:

The Bingham and Presley Ditch is approximately five miles long, terminating in the $\text{SE}\frac{1}{4}$ $\text{SW}\frac{1}{4}$ of Section 6, T. 39 S., R. 4 W., W. M.

The Houstin Ditch is approximately one half mile long, terminating in the $\text{NW}\frac{1}{4}$ $\text{SW}\frac{1}{4}$ of Section 19, Township 39 South, Range 4 West, W. M.

The William Miller Ditch is approximately one half mile long, terminating in the $\text{SE}\frac{1}{4}$ $\text{NE}\frac{1}{4}$ of Section 24, Township 39 South, Range 5 West, W. M.

MUNICIPAL OR DOMESTIC SUPPLY—

10. (a) To supply the city of
..... County, having a present population of
(Name of)
and an estimated populatoin of in 193.....

(b) If for domestic use state number of families to be supplied

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ 100.00

12. Construction work will begin on or before one year

13. Construction work will be completed on or before two years

14. The water will be completely applied to the proposed use on or before three years

Errol I. Smith, Asministratrix A B.M.S.
(Signature of applicant)

John E. Smith,

Applegate, Oregon.

Signed in the presence of us as witnesses:

(1) C. A. Smith, Court House, Medford, Oregon.
(Name) (Address of witness)

(2)
(Name) (Address of witness)

Remarks: The purpose of this application is to irrigate 8 acres new lands
in the NW $\frac{1}{4}$ SE $\frac{1}{4}$: 6 acres new lands and 2 acres supplemental in the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
10 acres new lands in the SE $\frac{1}{4}$ SE $\frac{1}{4}$; and 10 acres new lands and 15 acres
supplemental supply in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 24, Township 39 South, Range 5 West,
W. M.

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

In order to retain its priority, this application must be returned to the State Engineer, with
corrections on or before, 193.....

WITNESS my hand this day of, 193.....

STATE ENGINEER

Application No. 17798

Permit No. 13477

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 7th day of February, 1939, at 1:00 o'clock P.M.

Returned to applicant:

Corrected application received:

Approved:

April 7, 1939

Recorded in book No. 38 of

Permits on page 13477

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 15 Page 16A

Fees Paid \$12.65

STATE OF OREGON,

PERMIT

County of Marion,

ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS 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 0.64 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 O'Brien and Sturgis Forks of Carberry Creek

The use to which this water is to be applied is Irrigation and Supplemental Irrigation

If for irrigation, this appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4 1/2 acre feet per acre during the irrigation season from April 2, to October 31, of each year; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein, 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 February 7, 1939

Actual construction work shall begin on or before April 7, 1940 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1941 Extended to Oct. 1, 1943 Extended to Oct. 1, 1947 Extended to Oct. 1, 1949

Complete application of the water to the proposed use shall be made on or before

October 1, 1942 Extended to Oct. 1, 1943 Extended to Oct. 1, 1947 Extended to Oct. 1, 1949

WITNESS my hand this 7th day of April, 1939

CHAS. E. STRICKLIN

STATE ENGINEER