

\* APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, M. R. Magness and Arla A. Magness (Name of applicant) of Ashland, 1116 Oak Street (Post office), County of Jackson 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 Unnamed Spring (Name of stream) Ashland Creek Watershed, a tributary of Bear Creek

2. The amount of water which the applicant intends to apply to beneficial use is 0.07 cubic feet per second. (If water is to be used from more than one source, give quantity from each)

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

4. The point of diversion is located 1570 ft. S and 270 ft. W from the NE 1/4 corner of Section 4. (Section or subdivision)

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the SE NW of Sec. 4, Tp. 39 S, R. 1 E, W. M., in the county of Jackson

(Give smallest legal subdivision) (N. or S.) (E. or W.)

5. The (Main ditch, canal or pipe line) to be (Miles or feet) in length, terminating in the of Sec. 4, Tp. 39 S, R. 1 E, W. M., the proposed location being shown throughout on the accompanying map. (Smallest legal subdivision) (N. or S.) (E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction Spring boxed in and covered by concrete. (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate direct from source (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description (Size and type of pump)

(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

\* 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 Hydro-electric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

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) ..... 1.0 ..... feet; width on bottom ..... .5 ..... feet; depth of water ..... .2 ..... feet; grade ..... 4 ..... feet fall per one thousand feet. Same entire length.

(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.

(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	1 E	4	SE $\frac{1}{4}$ NW $\frac{1}{4}$	Domestic
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	Irrigation 4 ac.

Property on which water is to be used is a part of that more explicitly described by applicant as follows: Tract A. Beginning at the intersection of the south line of Nevada Street with the east line of Oak Street in the City of Ashland, Jackson County, Oregon; thence east 547 $\frac{1}{2}$  feet on the south line of Nevada Street; thence south 113 $\frac{1}{2}$  feet; thence west 547 $\frac{1}{2}$  feet to the east line of Oak Street; thence northerly on the east line of Oak Street 113 $\frac{1}{2}$  feet, more or less, to the place of beginning. Tract B. Beginning at a point in the center of Oak Street in the City of Ashland, Jackson County, Oregon 143 feet southerly from the intersection of the center line of Oak and Nevada Streets in said city; thence east parallel with Nevada Street 577 feet; thence north 143 feet to the center of Nevada Street; thence east along the center of Nevada Street 193 feet; thence south 225.7 feet; thence west 193 feet; thence north 7.2 feet; thence west 577 feet, more or less to the center line of Oak Street; thence northerly along the center line of Oak Street to the point of beginning.

(If more space required, attach separate sheet)

(a) Character of soil ..... black loam

(b) Kind of crops raised ..... pasture and garden

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 .....

Municipal or Domestic Supply—

10. (a) To supply the city of .....

(Name of) ..... County, having a present population of .....

and an estimated population of ..... in 19.....

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

(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 ..... 1 year from date of priority.

13. Construction work will be completed on or before ..... 2 years from date of priority.

14. The water will be completely applied to the proposed use on or before ..... 3 years from date of priority.

(Sgd) M. R. Magness - Arla A. Magness  
(Signature of applicant)

1116 Oak Street

Ashland, Oregon

Signed in the presence of us as witnesses:

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

(2) .....  
(Name) (Address of witness)

Remarks: Spring is under pavement on Oak Street, Ashland, Oregon, and has been boxed in and piped from beneath pavement by City to drain roadbed with 4" iron pipe extension. Water carried in ditch over adjoining property of applicant.

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 ....., 194.....

WITNESS my hand this ..... day of ....., 194.....

STATE ENGINEER

Application No. 20757

Permit No. 16243

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 29th day of March, 1945, at 8:30 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

June 15, 1945

Recorded in book No. 40 of

Permits on page 16243

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 15 Page 23

Fees Paid \$14.50

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 0.07 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 Unnamed Spring

The use to which this water is to be applied is domestic and irrigation, being 0.02 c.f.s. for domestic and 0.05 c.f.s. for 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 for each acre irrigated during the irrigation season from April 2, to October 31, of each year,

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 29, 1945

Actual construction work shall begin on or before June 15, 1946 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1947

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

October 1, 1948

WITNESS my hand this 15th day of June, 1945

CHAS. E. STRICKLIN

STATE ENGINEER