

* APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, H. J. Kimsey (Name of applicant) of Ashland Rt. 1, Box 496 (Mailing address), 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 Toleman Creek (Name of stream) trib. Neal Creek, a tributary of Bear Creek

2. The amount of water which the applicant intends to apply to beneficial use is 0.10 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 (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 1842 ft. N. and 1160 ft. E. from the S.W. corner of section 13 (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 NW 1/4 SW 1/4 of Sec. 13, Tp. 39 S. R. 1 E., W. M., in the county of Jackson

5. The pipe line to be 300 feet in length, terminating in the NW 1/4 SW 1/4 of Sec. 13, Tp. 39 S. R. 1 E., W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 3 feet, length on top 10 feet, length at bottom 6 feet; material to be used and character of construction

(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

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

(c) If water is to be pumped give general description 1" centrifugal pump, powered by 1 H.P. electric motor, Total lift 8 feet

* A different form of application is provided where storage works are contemplated.

** Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric 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) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(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, 300 ft.; size at intake, 2 in.; size at ft. from intake in.; size at place of use 2 in.; difference in elevation between intake and place of use, ft. Is grade uniform? Estimated capacity, sec. ft. pipe used for sprinler system.

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

Township	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
39 S.	1 E.	13	NW $\frac{1}{4}$ SW $\frac{1}{4}$	3/4 ac.

Property on which water is to be used is a part of that more explicitly described by applicant as follows:

PROPERTY DESCRIPTION AS COPIED FROM WARRENTY DEED

P. H. Baxter and Myrtle L. Baxter

to

H. J. Kimsey and Phyllis B. Kimsey

Beginning at a point on the Southerly side line of Crowson Road, from which point the Northwest corner of Donation Land Claim #54, in Township 39 South, Range 1 East of the Willamette Meridian in Jackson County, Oregon, bears North, 21.31 feet and West, 1482.73 feet distant; thence along the Southerly side line of Crowson Road, South 49° 55' West, 103.62 feet to the true point of beginning; thence along said side line, South 49° 55' West, 255.34 feet; thence South 40° 05' (continued under Remarks) If more space required, attach separate sheet

(a) Character of soil black loam

(b) Kind of crops raised garden and lawn

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
..... County, having a present population of
(Name of)
and an estimated population of in 19.....

(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, \$ 500.00.....
- 12. Construction work will begin on or before one year from date of priority.....
- 13. Construction work will be completed on or before two years from date of priority.....
- 14. The water will be completely applied to the proposed use on or before three years from date of priority.....

H. J. Kimsey
(Signature of applicant)

R.F.D. #1 Box 496 Ashland Oreg

Remarks: (Item 8 continued).....

East, 71.0 feet to the center line of Tolman Creek; thence along said center line, North 85° 24' East, 131.54 feet and North 47° 51' East, 148.30 feet; thence North 40° 05' West, 142.00 feet to the point of beginning.

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, 19.....

WITNESS my hand this day of, 19.....

Application No. 24971

Permit No. 19698

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 10th day of July, 1950, at 8:00 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

January 31, 1951

Recorded in book No. 48 of Permits on page 19698

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 15 Page 24-A

Fees Paid 15.00

PERMIT

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 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 0.02 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 Tolman Creek

The use to which this water is to be applied is 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 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 July 10, 1950

Actual construction work shall begin on or before January 31, 1952 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1952

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

October 1, 1953

WITNESS my hand this 31st day of January, 1951.

CHAS. E. STRICKLIN STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Oregon Laws 1933.