

ORIGINAL No. 197/B

* APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, E. H. McNabb (Name of applicant) of Ashland, Oregon (Mailing address) Route 1, Box 58, 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 Butler Creek (Name of stream) Bear Creek, a tributary of Rogue River

2. The amount of water which the applicant intends to apply to beneficial use is .013 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 271 ft. N. and 466 ft. W. from the E 1/4 corner of Section 31 (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 1/4 NE 1/4 of Sec. 31, Tp. 38S (N. or S.) R. 1 E, W. M., in the county of Jackson

5. The pipe-sprinkler system (Main ditch, canal or pipe line) to be 500 feet in length, terminating in the SE 1/4 NE 1/4 of Sec. 31, Tp. 38S (N. or 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 feet, length on top feet, length at bottom feet; material to be used and character of construction (Loose rock, concrete, masonry)

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

(c) If water is to be pumped give general description 2" cent. pump powered by 2 H.P. (Size and type of pump) Total lift 15 feet. (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. ** 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.

MA - DEC

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, 500 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, 15 ft. Is grade uniform? **yes** Estimated capacity, sec. ft.

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
38 S	1 E	31	SE $\frac{1}{4}$ NE $\frac{1}{4}$	1. acre

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

W. D.

E

V. D. Miller et ux to

E. H. McNabb et ux

Description:

Beginning at a point on the center line of County Road near South end of (former) bridge over Bear Creek 16.28 chains North and 9.88 chains West of the Southeast corner of D.L.C. #48 in Township 38 South of Range 1 East of Willamette Meridian, Oregon; thence North 31° 30' West along center of said road 1.51 chains; thence North 61° 30' West along center line of said road 8.74 chains; thence North 66° 30' West along center line of said road 9.80 chains; thence North 67° 15' West along center line of said road; 5.73 chains; thence North 51° 30' West along center line of said road 6.53 chains; thence South 11.64 chains; thence South 67° 45' East 22.01 chains; thence North 57° East 8.60 chains to the place of beginning, containing 23.8 acres, more or less.

(Continued under Remarks)

(If more space required, attach separate sheet)

(a) Character of soil bottom loam

(b) Kind of crops raised hay

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, \$ 350.00

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) E. H. McNabb
(Signature of applicant)

Rt. 1 Box 58 Ashland Ore

Remarks:

(Continued from Item 8)

EXCEPTING therefrom a tract of land containing approximately 1.32 acres described in Volume 204, on Page 620, of the Deed Records of Jackson County, Oregon.

Together with all water, water rights and ditch rights appurtenant thereto, it being the intention to include all water and water rights appurtenant to the above described property by adjudication of the water rights from Rogue River and its tributaries, and particularly all rights conveyed to the grantors herein by deed recorded in Volume 216 at pages 267-8 of the Deed Records of Jackson County, Oregon.

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.....

STATE ENGINEER

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 1st day of December
1950, at 8 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

June 15, 1951

Recorded in book No. 49 of
Permits on page 20025

CHAS. E. STRICKLIN
STATE ENGINEER

Drainage Basin No. 15 Page 24 A

Fees Paid \$15.00

PERMIT

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 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 0.013 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 Butler 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 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 December 1, 1950

Actual construction work shall begin on or before June 15, 1952 and shall
thereafter be prosecuted with reasonable diligence and be completed on or before
October 1, 1953

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

October 1, 1954

WITNESS my hand this 15th day of June, 1951.

CHAS. E. STRICKLIN
STATE ENGINEER