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CERTIFICATE NO. 22765

Permit No. 22765

# To Appropriate the Public Waters of the State of Oregon

I, F. C. Preston, Jr.  
of Route 2, Box 45, Jacksonville  
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 Applegate River and Drain Ditch  
(Name of stream), a tributary of Rogue River

2. The amount of water which the applicant intends to apply to beneficial use is 0.55 c.f.s.  
cubic feet per second, being 0.30 c.f.s. from Applegate River & 0.25 c.f.s. from  
(If water is to be used from more than one source, give quantity from each) drain ditch.

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

#1  
4. The point of diversion is located 790 ft. N. and 1525 ft. E. from the SW  
(N. or S.) (E. or W.)  
corner of Section 10, being within the SE 1/4 SW 1/4 of Section 10, T. 40 S.,  
(Section or subdivision)  
R. 3 W., W.M. Number 2 Diversion (Drain Ditch) is located 605' North  
and 710' East from the SW corner of Section 10.

(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 SW 1/4 SW 1/4 of Sec. 10, Tp. 39 S.  
(Give smallest legal subdivision) (N. or S.)  
R. 3 W., W. M., in the county of Jackson

5. The pipeline to be 1500 feet  
(Main ditch, canal or pipe line) (Miles or feet)  
in length, terminating in the NE 1/4 SW 1/4 of Sec. 10, Tp. 39 S.  
(Smallest legal subdivision) (N. or S.)  
R. 3 W., W. M., the proposed location being shown throughout on the accompanying map.

## DESCRIPTION OF WORKS

Diversion Works—

(#1 Div.) 6. (a) Height of dam                      feet, length on top                      feet, length at bottom                      feet; material to be used and character of construction none - pumping  
(Loose rock, concrete, masonry)  
from natural hole in stream bed of Applegate River.  
(rock and brush, timber crib, etc., wasteway over or around dam)

(#2 Div.) (b) Description of headgate none - pumping from small sump in drain ditch -  
(Timber, concrete, etc., number and size of openings)  
sump to be 30 feet long 20 feet wide and 5 feet deep.

(c) If water is to be pumped give general description 2.5 inch centrifugal pump powered  
(Size and type of pump)  
by 3.5 H.P. electric motor.  
(Size and type of engine or motor to be used - total head water 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.

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, 1500 ft.; size at intake, 5 in.; size at 600 ft. from intake 4 in.; size at place of use 3 in.; difference in elevation between intake and place of use, 40 ft. Is grade uniform? no. Estimated capacity, \_\_\_\_\_ sec. ft.

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

Township North or South	Range E. or W. of Willamette Meridian	Section	Part-acre Tract	Number Acres To Be Irrigated
39 S.	3 W.	10	NE $\frac{1}{4}$ SW $\frac{1}{4}$ -	7.4 (new)
39 S.	3 W.	10	SE $\frac{1}{4}$ SW $\frac{1}{4}$ -	16.8 (new)
39 S.	3 W.	10	SE $\frac{1}{4}$ SW $\frac{1}{4}$ -	3.2 (supplemental)
39 S.	3 W.	10	SW $\frac{1}{4}$ SW $\frac{1}{4}$ -	16.6 (supplemental)
			Total	24.2 (new)
			Total	19.6 (suppl.)
			Total	44.0 acres

(If more space required, attach separate sheet)

(a) Character of soil gravelly sandy loam.

(b) Kind of crops raised pasture.

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 \_\_\_\_\_

10. (a) To supply the water for \_\_\_\_\_  
\_\_\_\_\_ and an estimated population of \_\_\_\_\_

(b) for domestic use and quantity of facilities to be supplied \_\_\_\_\_

- 11. Estimated cost of proposed works, \$ 3,000.00
- 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.

*F. C. Preston Jr.*  
(Signature of applicant)

Remarks: The 3.2 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$  and the 16.6 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 10, Township 39 S., R. 3 W., W.M. to be supplemental to a right in the Rogue River decree on page 22, col. 3 initiated in the name of Ralph G. Jennings.

Frank Carleton Preston Jr.

Description: As copied from Deed recorded in Jackson County Deed Records in Vol. 347, at Page 85.

The South West quarter of the South West quarter of Section Four (4), the North half of the North West quarter, the South West quarter of the North West quarter, the North half of the South East quarter and the South Half of the North East quarter of Section Nine (9), Government Lots One (1) and Two (2) and the West Half of the North West quarter of Section Ten (10) in Township Thirty-nine (39) South of Range Three (3) West of the Willamette Meridian.

Also beginning at a post 20.00 chains East of the corner to Sections Three(3) Four (4), Nine (9) and Ten(10) in Township 39 South of Range Three (3) West of the Willamette Meridian, thence running East 12.00 chains to a post for corner on left Bank of Applegate Creek; thence North 11° West 20.80 chains down said Creek to a post/corner; thence West 8.18 chains to post; thence South 20.30 chains to place of beginning, containing 20.48 acres, being a part of the Southeast quarter of the South West quarter of Section Three (3) in Township Thirty-nine (39) South of Range Three (3) West of the Willamette Meridian.

The South West quarter of Section ten (10) in Township thirty-nine (39) South of Range three (3) West of Willamette Meridian.

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 OF OREGON

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 0.55 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 Applegate River and drain ditch, being 0.30 c.f.s. from Applegate River and 0.25 c.f.s. from drain ditch

The use to which this water is to be applied is irrigation and supplemental irrigation

If for irrigation, this appropriation shall be limited to 1/80 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 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 December 16, 1953

Actual construction work shall begin on or before April 30, 1955 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1956

Complete application of the water to the proposed use shall be made on or before October 1, 1957

WITNESS my hand this 30th day of April, 1954

Chas E Stricklin  
STATE ENGINEER

Application No. 28938

Permit No. 22765

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 16th day of December, 1953, at 1:00 o'clock P. M.

Returned to applicant:

Approved:

April 30, 1954

Recorded in book No. 58 of

22765

Permits on page

CHAS. E. STRICKLIN  
STATE ENGINEER