31064

Permit No. 22823

[redacted] State of Oregon

I, [redacted] Cecil M. Brown & Grant F. Brown and wife Lois M. Brown
(Name of applicant)

of [redacted] Rock Elevator
(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 Drainage and seepage water
(Name of stream)
, a tributary of _____

2. The amount of water which the applicant intends to apply to beneficial use is 7.78 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 & supplementary irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located _____ ft. (N. or S.) and _____ ft. (E. or W.) from the corner of Portable pumping system and headgates within the boundaries of property
(Section or subdivision)
owned or leased by Fred G. and Grant F. Brown as shown by accompanying map.

(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 S½ Sec. 11 and N½ Sec. 14 of Sec. 11 & 14, Tp. 34S (N. or S.),
(Give smallest legal subdivision)

R. 6E (E. or W.), W. M., in the county of Klamath.

5. The main ditch to be approx. 5½ miles in length, terminating in the _____ of Sec. 11 & 14, Tp. 34S (N. or S.),
(Main ditch, canal or pipe line) (Miles or feet) (Smallest legal subdivision)

R. 6E (E. or W.), W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam none feet, length on top _____ feet, length at bottom _____ 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, and galvanized pipe
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description low lift box pumps and high pressure sprinkler system
(Size and type of jump) (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.
5 53- 4M

[redacted] ... canal where materially changed in size, stating miles from [redacted] water line) 12 feet; width on bottom [redacted] 5 feet; grade refer to "Remarks" 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, ... 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 From tax receipts and special use permits

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
			(See attached sheet)	

(If more space required, attach separate sheet)

(a) Character of soil ..... aluvial .....

(b) Kind of crops raised ..... pasture, grass seed, and grain .....

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 .....

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[illegible] as shown by actual survey of land owned or [illegible] and S. [illegible] and wife, Cecil M. Brown, Grant F. Brown and wife, Ella M. Brown, Crystal Route, Port Klamath, Oregon.

All in Tp 34½ R6E

			Total		Suppl	Primary
Sec. 15	N½ N½ SE¼ NE¼		10.05	Acres	6.0	4.05
Sec.14	N½ NE¼ NW¼ SW¼		5.35	"	5.0	0.35
Sec. 14	N½ SE¼ NE¼ SW¼		5.47	"	0.0	5.47
Sec. 14	N½ NE¼ SW¼		21.83	"	20.0	1.83
Sec. 14	SW¼ NW¼		42.35	"	30.0	12.35
Sec. 14	SE¼ NW¼		43.18	"	10.0	33.13
Sec. 14	NW¼ NW¼		42.04	"	4.0	38.04
Sec. 14	NE¼ NW¼		42.79	"	0.0	42.79
Sec. 14	NW¼ NE¼		42.80	"	0.0	42.80
Sec. 14	SW¼ NE¼		42.03	"	0.0	42.03
Sec. 11	SW¼ SW¼		41.57	"	0.0	41.57
Sec. 11	SE¼ SW¼		39.90	"	0.0	39.90
Sec. 11	In NE¼ SW¼		34.18	"	0.0	34.18
Sec. 11	SW¼ SE¼		37.92	"	0.0	37.92
Sec 11	NW¼ SE¼		38.01	"	0.0	38.01
Sec. 11	NE¼ SE¼		38.90	"	0.0	38.90
Sec. 11	S½ SE¼ SE¼	NW¼	5.01	"	0.0	5.01
Sec. 11	In SW¼ NE¼		approx 34.	"	0.0	34.00
Sec. 11	In SE¼ NE¼		" 37.50	"	0.0	37.50
Sec. 11	In NE¼ NE¼		" 10.	"	0.0	10.00
Sec. 11	In NW¼ NE¼		" 8.	"	0.0	8.00

total ~~625.08~~ 622.65 acres

Municipal or Domestic Supply— 22823

10. (a) To supply the city 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 _____

_____

11. Estimated cost of proposed works, $ 5000.00 to $8000.00

12. Construction work will begin on or before ban Begun

13. Construction work will be completed on or before _____

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

Fred G Brown Ceil M Brown
Grant F Brown Lois M Brown
By Fred G Brown
(Signature of applicant)

Remarks: Cherry Creek, which flowed onto this property and spread without a defined channel during flood season, becomes a dry stream during irrigating season. The waters as applied for in this application are from three general sources. That from a drainage canal designated on the map as drainage ditch "A", and Cherry Creek Diversion Canal, constructed by dragline in 1950, beginning near the NW corner of the SE¼ NW¼ Section 14, Tp. 34S, Range 6E and extending in a north and northeasterly direction to Four Mile Spring intercepting certain springs and seeps and preventing flood waters of spring freshets from spreading over the property. That from drain ditch "B" constructed by dragline in 1952 intercepting numerous springs & seeps, beginning on the NE¼ of SW¼ of section 14, and that from drain ditches "C" yet to be constructed. The approximate location of which are all shown on the accompanying map. The source of water, as applied for in this application, is numerous springs and seeps arising on the property, causing a swampy condition. This water does not flow off the property in any well-defined channel. Some of these springs are apparently a seepage through gravel strata from water sinking in Cherry Creek Canyon while others are apparently from an artesian source with little or no fluctuation in water level. The surface of land is quite uniform, with a fall of approximately 1 foot in 100 feet in a northerly and easterly direction. A central c canal has been constructed 12' wide at the top, 4' wide at the bottom and 4½' deep, from a point in the old Cherry Creek channel to Four Mile Spring, to prevent flood waters of Cherry Creek spreading over the property. Laterals are being constructed 15 Ch. apart running across the property at such an angle as to intersect the spring area on an approximate contour so as to make it possible to place water from the central canal onto any portion of land to be irrigated. These contour canals will be the same approximate dimensions as the central canal. The entire installation will be within the boundary of property owned or leased by the applicants.

STATE OF OREGON)
) *ss.*
County of Marion,)

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 [redacted]

County of [redacted]

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 7.75 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 drainage and seepage water

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 3 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 November 23, 1953

Actual construction work shall begin on or before May 28, 1955 and shall thereafter be prosecuted with reasonable diligence and be completed or 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 28th day of May, 1954.

Chas. E. Stricklin

STATE ENGINEER

Application No. [illegible]

Permit No. 22823

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 [illegible] day of November, 1953, at [illegible] o'clock [illegible] M.

Return to applicant:

Approved:

May 28, 1954

Recorded in book No. 59 of Permits on page 22823

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. [illegible]

[illegible]

State Printing 66097