

*APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, FRED LOWERY, PHOEBE LOWERY and FRED LOWERY, JR. of Wedderburn 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 two (2) unnamed streams, a tributary of the Rogue River.
2. The amount of water which the applicant intends to apply to beneficial use is Source I = 256 PM = 0.0557 cfs. Source B = 556 PM = 0.122 cfs.
**3. The use to which the water is to be applied is Domestic use and use by guests during fishing season. Also garden irrigation.
4. The point of diversion is located 2460.65 ft. N. and 29.14 ft. W from the S.E. corner of Section 34, Township 35 South, Range 13 West of the Willamette Meridian.

being within the NE 1/4 Sec 34; NW 1/4 Sec 35 of Sec. 34 Tp. 35S R. 13 W, W. M. in the county of Curry.
5. The pipe line to be 2350 feet in length, terminating in the SE 1/4 of Sec. 34 Tp. 35S R. 13 W, 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 ...
(b) Description of headgate ...
(c) If water is to be pumped give general description ...

*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.

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, 2350 ft.; size at intake, 1 1/2" and 2" in.; size at 1350 ft. from intake 1 1/2" 175.9 in.; size at place of use 2 1/2" in.; difference in elevation between intake and place of use, 75.9 ft. Is grade uniform? Yes Estimated capacity, 0.122 sec. ft.

8. Location of area to be irrigated, or place of use SE 1/4 SE 1/4, Sec 34 Twp 35 S, R 13 W M

| Township | Range E. or W. of Willamette Meridian | Section | Forty-acre Tract | Number Acres To Be Irrigated |
|------------|---|-----------|----------------------|------------------------------|
| <u>35S</u> | <u>13W</u> | <u>34</u> | <u>SE 1/4 SE 1/4</u> | <u>3.45</u> |
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(If more space required, attach separate sheet)

(a) Character of soil Loam
 (b) Kind of crops raised corn and other truck garden vegetables for domestic use.

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.
 (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
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, \$ 1,000.00
- 12. Construction work will begin on or before January 1, 1957
- 13. Construction work will be completed on or before June 1, 1957
- 14. The water will be completely applied to the proposed use on or before June 1, 1957

Fred Lowery
(Signature of applicant)
Phoebe Lowery
Fred Lowery Jr.

Remarks: Mr. Lowery runs a fishing guide service during those times of of the year when the salmon are running. There are times when there are as many as thirty people staying at his home. This, together with the irrigation demands has prompted him to file for all the water the main pipe line will carry. I doubt if there is this much water available during the dry part of the year; however, I have not made any flow measurements. The pipe line and a reservoir have been in use by the applicants and their predecessors in interest for more than fifty (50) years, but additional reservoir and diversion have recently been installed.

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

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 0.11 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 2 unnamed streams,

The use to which this water is to be applied is domestic use for 2 families and irrigation, being 0.01 cfs from the North stream and 0.01 cfs from the South stream for domestic and 0.06 cfs from the North stream and 0.03 c.f.s from the South stream for irrigation

If for irrigation, this appropriation shall be limited to 1/40 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 1/4 acre feet per acre for each acre irrigated during the irrigation season 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 September 23, 1957

Actual construction work shall begin on or before November 29, 1958 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1959

Complete application of the water to the proposed use shall be made on or before October 1, 1960

WITNESS my hand this 29th day of November 19 57

[Signature]
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

Application No. 31893
Permit No. 25155

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 _____ day of _____, 1957, at _____ o'clock P. M.

Returned to applicant: _____

Corrected application received: _____

Approved: _____

November 29, 1957 of _____

Recorded in book No. 25155

Permits on page _____

LEWIS A. STANLEY

STATE ENGINEER

Drainage Basin No. 5 Page 280

Fees Paid 2.50