

* Permit No. 2756

CERTIFICATE NO. 3350

APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, James D Bell (Name of Applicant)

of Medford, Jackson County 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 (Name of stream) tributary of Rogue River

2. The amount of water which the applicant intends to apply to beneficial use is Forty (40) cubic feet per second.

3. The use to which the water is to be applied is Mining (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 20 chains south and 33 chains east of the Northwest corner of Section 33 in Township 38 South of Range 3 West of Willamette Meridian (Give distance and bearing to section corner)

being within the NE 1/4 of the NW 1/4 of Sec. 33, Tp. 38 South, R. 3 West, W. M., in the county of Jackson (Give smallest legal subdivision) (No. N. or S.) (No. E. or W.)

5. The main ditch to be 3 1/2 miles in length, terminating in the SE 1/4 of the NW 1/4 of Sec. 25, Tp. 38 S., R. 4 W. (Smallest legal subdivision) (No. N. or S.) (No. E. or W.)

W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the ditch, canal or other works is Fowler or Offenbacher Ditch

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction Piling, stakes and brush, renewed annually, dimensions varying according to changes in local conditions (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Reconstructed annually in such manner as to meet requirements of users and water master. (Timber, concrete, etc., number and size of openings)

* A different form of application is provided where storage works are contemplated. These forms can be secured, without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

MUNICIPAL SUPPLY—

11. To supply the city of.....
..... County, having a present population of....., and an
(Name of) estimated population of..... in 191.....

(Answer questions 12, 13, 14, and 15 in all cases)

- 12. Estimated cost of proposed works, \$.....
- 13. Construction work will begin on or before One year
- 14. Construction work will be completed on or before..... Two years
- 15. The water will be completely applied to the proposed use on or before..... Three years

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Water Board, accompany this application.

J D Bell
.....
(Name of applicant)

Signed in the presence of us as witnesses:

- (1) H Withington Medford, Oregon
(Name) (Address of witness)
- (2) C M Jacobs Medford, Oregon
(Name) (Address of witness)

Remarks: Ditch is used by license from John and Fred Offenbacher, owners, and water is used subject to irrigation rights of adjacent users at all times. Description of ditch appears in Proof 697 Volume 10, and irrigation use is shown on page 253 of decree of adjudication, Rogue River and Tributaries. Annual reconstruction and re-installation of headworks and ditch make it impossible to furnish definite engineer's certificate. Owners of all property affected by this claimant's use are licensors of claimant. The right acquired by this appropriation shall be, is deemed to be and is hereby expressly made subsequent in right and time to any appropriations of water which may hereafter be made at points above on Applegate River and its tributaries for irrigation or storage purposes, and is hereby expressly limited to mining purposes during the season from November 1st to July 1st of the next succeeding year, and the State Engineer is hereby authorized to so limit this application in his endorsement. Dated at Medford, Oregon, this 23rd day of December, 1915. J D Bell,

Subscribed and sworn to before me this 23rd day of December, 1915. Holbrook Withington,
Notary Public for Oregon

(NOTARIAL SEAL)

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 correction or completion, as follows:.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before....., 191.....

WITNESS my hand this..... day of....., 191.....

State Engineer.

Application No. 4679
Permit No. 2756

PERMIT
TO APPROPRIATE
THE PUBLIC WATERS OF
THE STATE OF OREGON

Division No. 1 District No.

This instrument was first received
in the office of the State Engineer at
Salem, Oregon, on the 11th
day of Dec., 1915,
at 8:30 o'clock a.m.

Returned to applicant for correction

Corrected application received

Approved:
Jan 4 1916

Recorded in Book No. 11 of
Permits, on Page 2756

John H Lewis
State Engineer.

1 map RS \$8.00

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 the following limitations and conditions: If for irrigation, this appropriation shall be limited to one-eightieth of one cubic foot per second, or its equivalent, for each acre irrigated, and shall be subject to such reasonable rotation system as may be ordered by the proper State officer.

The use of the water under this permit shall be limited to water for mining purposes.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 40.00 cubic feet per second, or its equivalent in case of

rotation. The priority date of this permit is December 11, 1915

Actual construction work shall begin on or before January 4, 1917

and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1918

Complete application of the water to the proposed use shall be made on or before October 1, 1919

WITNESS my hand this 4th day of January, 1916

John H Lewis
State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Sec. 6633, Lord's Oregon Laws, and the payment of annual fees as provided in Chapter 213, Laws of 1915.