

RECEIVED FEB 19 1969

STATE ENGINEER SALEM, OREGON

\*APPLICATION FOR PERMIT 45795 CERTIFICATE NO. 43905

To appropriate the Public Waters of the State of Oregon

I, David B. and/or Mary L. Lowry and Associated Fruit Co. by David B. Lowry of 5500 Colver Road, Talent, Oregon 97540, 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 Unnamed Stream and Hilldale Reservoir, a tributary of Bear Creek

2. The amount of water which the applicant intends to apply to beneficial use is 1.5 cubic feet per second.

\*\*3. The use to which the water is to be applied is temperature control.

4. The point of diversion is located 1730 ft. N. and 930 ft. W. from the SE corner of Section 10

being within the NE 1/4 SE 1/4 of Sec. 10, Tp. 38 S., R. 1 W., W. M., in the county of Jackson.

5. The pipeline to be 30,000 feet (est.) in length, terminating in the SW 1/4 NE 1/4 of Sec. 10, Tp. 38 S., R. 1 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 two 3.5 inch centrifugal pumps, powered by two 30 H.P. electric motors.

\*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, 30,000 ..... ft.; size at intake, 6.0 ..... in.; size at 1500 ..... ft. from intake ..... 4 ..... in.; size at place of use 3, 2 & 1½ ..... in.; difference in elevation between intake and place of use, ..... ft. Is grade uniform? Yes. 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	Forty-acre Tract	Number Acres To Be Irrigated
38 S.	1 W.	10	SE¼ SE¼	1.7
			NE¼ SE¼	19.8
			SE¼ NE¼	4.2
			SW¼ NE¼	3.6
			NW¼ SE¼	1.5
			Total	30.8 acres (temperature control)

(If more space required, attach separate sheet)

(a) Character of soil ..... clay loam.

(b) Kind of crops raised ..... fruit trees.

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 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, \$..... 27,500.00

12. Construction work will begin on or before ..... one year from date of priority.

13. Construction work will be completed on or before ..... October 1, 1971

14. The water will be completely applied to the proposed use on or before ..... October 1, 1972

*David S. Roxy*  
(Signature of applicant)

Remarks: .....

*in any way  
associated with Co.  
by David B. Roxy Partner & general  
mg*

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 ..... completion.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before April 21st....., 1969..

WITNESS my hand this 20th day of February....., 1969..

RECEIVED  
MAR 14 1969  
STATE ENGINEER  
SALEM, OREGON

CHRIS L. WHEELER  
STATE ENGINEER  
By *Larry W. Jebousek*  
LARRY W. JEBOUSEK  
ASSISTANT

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 1.5 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 an unnamed stream and reservoir to be constructed under application No. R-45794, permit No. R-5447.

The use to which this water is to be applied is Temperature control. The permittee shall record and submit annually to the State Engineer all pertinent data pertaining to use of water for temperature control on forms furnished.

If for irrigation, this appropriation shall be limited to 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 priority date of this permit is February 19, 1969

Actual construction work shall begin on or before December 10, 1970 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1971

Complete application of the water to the proposed use shall be made on or before October 1, 1972

WITNESS my hand this 10th day of December, 1969

*Chris L. Wheeler*

STATE ENGINEER

Application No. 45795  
Permit No. 34217

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 19th day of February, 1969, at 1:00 o'clock P. M.

Returned to applicant:

Approved:

December 10, 1969

Recorded in book No. 34217 of Permits on page

CHRIS L. WHEELER  
STATE ENGINEER

Drainage Basin No. 15 page 840

Fees \$27.00