

\*APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Warner Valley Stock Company (Name of applicant) of Williams Building, Klamath Falls (Mailing address) Oregon 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 August 17, 1891 in Oregon

1. The source of the proposed appropriation is Deep Creek and Twenty Mile Creek (Name of stream), a tributary of Warner Valley and Crump Lake

2. The amount of water which the applicant intends to apply to beneficial use is 7560 cubic feet per second. Primary from Deep Creek = 10.25 c.f.s. 10.68 c.f.s.; Suppl. from Deep Creek = 31.55 c.f.s. 30.74 c.f.s.; Primary from Twenty-mile Creek = 20.45 c.f.s. 26.18 c.f.s.

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

4. The point of diversion is located ft. and ft. from the corner of Deep Creek = N 77° 37'E 2099 feet from the West 1/4 Corner of Sec. 21, T.39 S., R.24 E., W.M. Twenty-mile Creek = N 37° 24' W 1234 feet from the Southeast Corner of Sec. 24, T.40 S., R.24 E., W.M.

being within the Deep Creek = SE 1/4 - NW 1/4 of Sec. 21, Tp. 39 S., R. 24 E., W. M., in the county of Lake

5. The See "Remarks" to be in length, terminating in the of Sec. , Tp. , R. , W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

6. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction Existing Concrete Diversion Dams same as for Certificates No. 9400, 9401, 9403, 9405, 9408, 13547, and 27614 (b) Description of headgate See (a) above (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. 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— See "Remarks" below

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, ..... 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 .....

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
		See Attached List.		
			Primary from Deep Creek =	747 <sup>5</sup> 736 <sup>9</sup> Acres ✓
			Supplemental from Deep Creek =	1229 <sup>9</sup> 1261 <sup>4</sup> Acres ✓
			Primary from Twenty-mile Creek =	1047 <sup>2</sup> 1058 <sup>1</sup> Acres ✓
				<u>3024.8</u>

(If more space required, attach separate sheet)

(a) Character of soil Sandy Loam and Peat or Muck Soils

(b) Kind of crops raised Cereals, Legumes, Row Crops, and Pasture Grasses.

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 .....

WARNER VALLEY STOCK COMPANY  
Lands to be Irrigated from  
DEEP CREEK

TWP	RGE	SEC.	SUBDIVISION (Lot)	ACRES		
				Primary	Supplemental	
39 S.	24 E.	1	(1)	9.0		
			(2)	8.9		
			NE $\frac{1}{4}$ -NW $\frac{1}{4}$	40.0		
			NW $\frac{1}{4}$ -NW $\frac{1}{4}$	32.0		
			SW $\frac{1}{4}$ -NW $\frac{1}{4}$	24.0		
			SE $\frac{1}{4}$ -NW $\frac{1}{4}$	40.0		
			NE $\frac{1}{4}$ -SW $\frac{1}{4}$	40.0		
			NW $\frac{1}{4}$ -SW $\frac{1}{4}$	15.0		
			(3)	8.8		
			(4)	3.6		
		3	NE $\frac{1}{4}$ -SW $\frac{1}{4}$	(3)	4.0	
			SE $\frac{1}{4}$ -SW $\frac{1}{4}$	(5)	1.2	
		11	NE $\frac{1}{4}$ -NE $\frac{1}{4}$		18.5	
			SE $\frac{1}{4}$ -NE $\frac{1}{4}$		16.0	
			NE $\frac{1}{4}$ -SE $\frac{1}{4}$		8.0	
		12	(1)			8.5
			(2)			8.3
			NE $\frac{1}{4}$ -NW $\frac{1}{4}$		40.0	
			NW $\frac{1}{4}$ -NW $\frac{1}{4}$		20.0	
			SE $\frac{1}{4}$ -NW $\frac{1}{4}$		40.0	
			NE $\frac{1}{4}$ -SW $\frac{1}{4}$		40.0	
			SE $\frac{1}{4}$ -SW $\frac{1}{4}$		15.0	
			(3)			8.2
(4)				8.1		
13	(1)				8.0	
	(2)			7.9		
	NE $\frac{1}{4}$ -NW $\frac{1}{4}$		14.4			
	SE $\frac{1}{4}$ -NW $\frac{1}{4}$		2.0			
	SE $\frac{1}{4}$ -SW $\frac{1}{4}$		22.8			
	(3)			7.8		
21	(4)			7.7		
	SW $\frac{1}{4}$ -SE $\frac{1}{4}$		5.2			
22	NE $\frac{1}{4}$ -NE $\frac{1}{4}$		18.9			
	SW $\frac{1}{4}$ -NE $\frac{1}{4}$		12.0			
	SE $\frac{1}{4}$ -NE $\frac{1}{4}$		20.4			
	SE $\frac{1}{4}$ -SW $\frac{1}{4}$		21.2			
24	(1)			<del>8.0</del> 0.6		

TWP	RGE	SEC.	SUBDIVISION (Lot)	ACRES	
				Primary	Supplemental
39 S.	24 E.	27	NW $\frac{1}{4}$ -SW $\frac{1}{4}$	4.9	
			SE $\frac{1}{4}$ -SE $\frac{1}{4}$	2.5	
		28	NE $\frac{1}{4}$ -NE $\frac{1}{4}$	8.0	
			SE $\frac{1}{4}$ -NE $\frac{1}{4}$	8.1	
			NE $\frac{1}{4}$ -NW $\frac{1}{4}$	6.8	
			SW $\frac{1}{4}$ -NW $\frac{1}{4}$	9.7	
			SE $\frac{1}{4}$ -NW $\frac{1}{4}$	8.8	
			NE $\frac{1}{4}$ -SE $\frac{1}{4}$	0.1	
			NW $\frac{1}{4}$ -SE $\frac{1}{4}$	28.9	
		29	SE $\frac{1}{4}$ -NE $\frac{1}{4}$	6.8	
			NE $\frac{1}{4}$ -SE $\frac{1}{4}$	10.0	
			NW $\frac{1}{4}$ -SE $\frac{1}{4}$	6.4	
			SW $\frac{1}{4}$ -SE $\frac{1}{4}$	1.0	
		31	SE $\frac{1}{4}$ -NE $\frac{1}{4}$	5.0	
			NE $\frac{1}{4}$ -SE $\frac{1}{4}$	32.0	
NW $\frac{1}{4}$ -SE $\frac{1}{4}$	13.5				
SW $\frac{1}{4}$ -SE $\frac{1}{4}$	21.2				
32	NE $\frac{1}{4}$ -SW $\frac{1}{4}$	1.4			
	SW $\frac{1}{4}$ -SW $\frac{1}{4}$	2.9			
35	NE $\frac{1}{4}$ -SW $\frac{1}{4}$	1.1			
	SE $\frac{1}{4}$ -SW $\frac{1}{4}$	24.0	5.6		
	SW $\frac{1}{4}$ -SE $\frac{1}{4}$	3.5			
36		(2)		6.6	
		(3)		0.8	
39 S.	25 E.	7	SW $\frac{1}{4}$ -SW $\frac{1}{4}$		40.6
		18	NW $\frac{1}{4}$ -NE $\frac{1}{4}$		40.0
			SW $\frac{1}{4}$ -NE $\frac{1}{4}$		40.0
			NE $\frac{1}{4}$ -NW $\frac{1}{4}$		40.0
			NW $\frac{1}{4}$ -NW $\frac{1}{4}$		40.5
			SW $\frac{1}{4}$ -NW $\frac{1}{4}$		40.0
			SE $\frac{1}{4}$ -NW $\frac{1}{4}$		40.0
			NE $\frac{1}{4}$ -SW $\frac{1}{4}$		40.0
			NW $\frac{1}{4}$ -SW $\frac{1}{4}$		39.4
			SW $\frac{1}{4}$ -SW $\frac{1}{4}$		38.9
			SE $\frac{1}{4}$ -SW $\frac{1}{4}$		40.0
			NE $\frac{1}{4}$ -SE $\frac{1}{4}$		40.0
			NW $\frac{1}{4}$ -SE $\frac{1}{4}$		40.0
SW $\frac{1}{4}$ -SE $\frac{1}{4}$		40.0			
SE $\frac{1}{4}$ -SE $\frac{1}{4}$		40.0			

TWP	RGE	SEC.	SUBDIVISION (Lot)	ACRES				
				Primary	Supplemental			
39 S.	25 E.	19	NE $\frac{1}{4}$ -NE $\frac{1}{4}$		40.0			
			NW $\frac{1}{4}$ -NE $\frac{1}{4}$		40.0			
			SW $\frac{1}{4}$ -NE $\frac{1}{4}$		26.2			
			SE $\frac{1}{4}$ -NE $\frac{1}{4}$		40.0			
			NE $\frac{1}{4}$ -NW $\frac{1}{4}$		40.0			
			NW $\frac{1}{4}$ -NW $\frac{1}{4}$		30.8			
			SW $\frac{1}{4}$ -NW $\frac{1}{4}$		2.1			
			SE $\frac{1}{4}$ -NW $\frac{1}{4}$		30.2			
			NE $\frac{1}{4}$ -SW $\frac{1}{4}$		1.8			
			NE $\frac{1}{4}$ -SE $\frac{1}{4}$		35.0			
			NW $\frac{1}{4}$ -SE $\frac{1}{4}$		3.3			
			SE $\frac{1}{4}$ -SE $\frac{1}{4}$		1.2			
			20			NW $\frac{1}{4}$ -NW $\frac{1}{4}$		28.4
						SW $\frac{1}{4}$ -NW $\frac{1}{4}$		40.0
SE $\frac{1}{4}$ -NW $\frac{1}{4}$		2.8						
NE $\frac{1}{4}$ -SW $\frac{1}{4}$		8.8						
NW $\frac{1}{4}$ -SW $\frac{1}{4}$		38.6						
SW $\frac{1}{4}$ -SW $\frac{1}{4}$		29.0						
29			NW $\frac{1}{4}$ -NW $\frac{1}{4}$		3.0			
			30			SW $\frac{1}{4}$ -NE $\frac{1}{4}$		0.5
SE $\frac{1}{4}$ -NE $\frac{1}{4}$		26.8						
NE $\frac{1}{4}$ -SE $\frac{1}{4}$		<del>6.8</del> 7.4						
NW $\frac{1}{4}$ -SE $\frac{1}{4}$		3.6						
31			NE $\frac{1}{4}$ -NW $\frac{1}{4}$		10.0			
			NW $\frac{1}{4}$ -NW $\frac{1}{4}$		38.3			
			SW $\frac{1}{4}$ -NW $\frac{1}{4}$		24.6			
				747.5	<del>1,228.5</del> 1,229.9			

September, 1967

WARNER VALLEY STOCK COMPANY  
Lands to be Irrigated from  
TWENTY MILE CREEK

<u>TWP</u>	<u>RGE</u>	<u>SEC.</u>	<u>SUBDIVISION (Lot)</u>	<u>ACRES (Primary)</u>
40 S.	23 E.	12	NE $\frac{1}{4}$ -SE $\frac{1}{4}$	9.1
			SE $\frac{1}{4}$ -SE $\frac{1}{4}$	17.1
		13	NE $\frac{1}{4}$ -NE $\frac{1}{4}$	18.1
			NW $\frac{1}{4}$ -NE $\frac{1}{4}$	1.0
			SE $\frac{1}{4}$ -NE $\frac{1}{4}$	17.6
		24	SE $\frac{1}{4}$ -SE $\frac{1}{4}$	1.9
40 S.	24 E.	2	SE $\frac{1}{4}$ -NW $\frac{1}{4}$ (18)	10.0
			<del>NW<math>\frac{1}{4}</math>-NW<math>\frac{1}{4}</math> (4)</del>	<del>10.0</del>
		4	NE $\frac{1}{4}$ -NE $\frac{1}{4}$ (1)	8.9
			NE $\frac{1}{4}$ -NW $\frac{1}{4}$ (3)	50.0
			NW $\frac{1}{4}$ -NW $\frac{1}{4}$ (4)	50.0
			SW $\frac{1}{4}$ -NW $\frac{1}{4}$	40.0
			SE $\frac{1}{4}$ -NW $\frac{1}{4}$	40.0
		5	NE $\frac{1}{4}$ -SE $\frac{1}{4}$	8.7
			NW $\frac{1}{4}$ -SE $\frac{1}{4}$	35.8
		6	NW $\frac{1}{4}$ -NE $\frac{1}{4}$ (1)	5.6
			SW $\frac{1}{4}$ -NE $\frac{1}{4}$ (9)	<del>1.5</del> 0.8
			NE $\frac{1}{4}$ -NW $\frac{1}{4}$ (2)	2.0
			SE $\frac{1}{4}$ -NW $\frac{1}{4}$ (4)	10.8
			NE $\frac{1}{4}$ -SW $\frac{1}{4}$ (5)	12.0
		7	NW $\frac{1}{4}$ -NW $\frac{1}{4}$ (3)	8.4
			SW $\frac{1}{4}$ -NW $\frac{1}{4}$ (2 & 9)	13.3
			SE $\frac{1}{4}$ -NW $\frac{1}{4}$ (8)	8.2
			NE $\frac{1}{4}$ -SW $\frac{1}{4}$ (7)	5.3
			SE $\frac{1}{4}$ -SW $\frac{1}{4}$	11.0
			NW $\frac{1}{4}$ -SE $\frac{1}{4}$	8.0
SW $\frac{1}{4}$ -SE $\frac{1}{4}$	13.0			
SE $\frac{1}{4}$ -SE $\frac{1}{4}$	3.0			
8	NE $\frac{1}{4}$ -NE $\frac{1}{4}$	40.0		
	NW $\frac{1}{4}$ -NE $\frac{1}{4}$	40.0		
	SW $\frac{1}{4}$ -NE $\frac{1}{4}$	40.0		
	SE $\frac{1}{4}$ -NE $\frac{1}{4}$	40.0		
	NW $\frac{1}{4}$ -SW $\frac{1}{4}$	1.0		
9	NE $\frac{1}{4}$ -NW $\frac{1}{4}$	40.0		
	NW $\frac{1}{4}$ -NW $\frac{1}{4}$	40.0		
	SW $\frac{1}{4}$ -NW $\frac{1}{4}$	40.0		

(CONT.)

<u>TWP</u>	<u>RGE</u>	<u>SEC.</u>	<u>SUBDIVISION (Lot)</u>	<u>ACRES (Primary)</u>
40 S.	24 E.	9 (CONT)	SE $\frac{1}{4}$ -NW $\frac{1}{4}$	40.0
			NW $\frac{1}{4}$ -SE $\frac{1}{4}$	27.4
			SW $\frac{1}{4}$ -SE $\frac{1}{4}$	6.1
		10	SW $\frac{1}{4}$ -SW $\frac{1}{4}$	27.0
			SE $\frac{1}{4}$ -SW $\frac{1}{4}$	23.0
		15	NE $\frac{1}{4}$ -NW $\frac{1}{4}$	30.0
			NW $\frac{1}{4}$ -NW $\frac{1}{4}$	28.0
			SW $\frac{1}{4}$ -NW $\frac{1}{4}$ (8)	21.0
			SE $\frac{1}{4}$ -NW $\frac{1}{4}$	12.0
		16	NE $\frac{1}{4}$ -NE $\frac{1}{4}$	17.3
			SW $\frac{1}{4}$ -NE $\frac{1}{4}$	7.6
			SE $\frac{1}{4}$ -NE $\frac{1}{4}$ (5)	6.1
			SW $\frac{1}{4}$ -NW $\frac{1}{4}$	1.2
			SE $\frac{1}{4}$ -NW $\frac{1}{4}$	5.4
		17	SW $\frac{1}{4}$ -SW $\frac{1}{4}$	33.5
		18	NW $\frac{1}{4}$ -NE $\frac{1}{4}$	1.5
			NE $\frac{1}{4}$ -NW $\frac{1}{4}$	4.5
			NW $\frac{1}{4}$ -SW $\frac{1}{4}$ (9)	14.5
			NE $\frac{1}{4}$ -SW $\frac{1}{4}$	22.1
			NE $\frac{1}{4}$ -SE $\frac{1}{4}$	1.0
			NW $\frac{1}{4}$ -SE $\frac{1}{4}$	4.2
20	SW $\frac{1}{4}$ -NW $\frac{1}{4}$	5.0		
	NW $\frac{1}{4}$ -SW $\frac{1}{4}$	10.8		
21	NE $\frac{1}{4}$ -NE $\frac{1}{4}$ (8)	<u>7.6</u>		
				<del>1,058.1</del>
				1,047.4

179 1 9

3024.8

Municipal or Domestic Supply—

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, \$.....

12. Construction work will begin on or before ..... Construction Already Completed

13. Construction work will be completed on or before ..... Construction Already Completed

14. The water will be completely applied to the proposed use on or before ..... Water Already Applied to the proposed use.

WARNER VALLEY STOCK COMPANY

(Signature of applicant)

By:

*[Handwritten Signature]*

Remarks: This Application is being filed to include lands which have been continuously irrigated for many years but which were omitted from Water Right Certificates No. 9400, 9401, 9403, 9405, 9408, 13547, 27614 and other Water Right Certificates appurtenant to the lands of the Warner Valley Stock Company in this area. The water will be diverted from Deep Creek and Twenty-mile Creek by means of the existing Diversion Structures and will be conveyed and distributed to the lands to be irrigated by means of the existing primary and secondary irrigation system on the MC Ranch. In filing this Application, the Applicant does not waive or abandon any vested rights appurtenant to said lands.

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

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before January 15th, 1968.

WITNESS my hand this 13th day of November, 1967

CHRIS L. WHEELER

STATE ENGINEER

By

*[Handwritten Signature]*

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 75.6 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 Deep Creek and Twenty Mile Creek being 49.42 cfs from Deep Creek and 26.18 cfs from Twenty Mile Creek

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

If for irrigation, this appropriation shall be limited to 1/40th 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 right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein. The use of water authorized herein shall be subject to the provisions of the decree of the Circuit Court for Lake County entered October 13, 1954, concerning passage of water into Hart Lake.

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 29, 1967

Actual construction work shall begin on or before May 7, 1971 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1972

Complete application of the water to the proposed use shall be made on or before October 1, 1973

WITNESS my hand this 7th day of May, 1970

*Chris L. Wheeler*

STATE ENGINEER

Application No. 44420  
Permit No. 34598

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 29th day of September, 1967, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

May 7, 1970

Recorded in book No. 34598 of Permits on page

CHRIS L. WHEELER  
STATE ENGINEER

Drainage Basin No. B page 46

Fees 195.25  
0.00 2.21