

STATE ENGINEER
SALEM, OREGON

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Modoc Orchard Company by Ben Darras
(Name of applicant)
of 9934 Modoc Road, Central Point,
(Mailing address) (City)
State of Oregon, 97501, do hereby make application for a permit to appropriate the
(Zip Code)
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 #2 & #3 Modoc Reservoir; #1 & #2
(Name of stream)
Unnamed Streams; Rogue River/, a tributary of Pacific Ocean.
(see remarks)

2. The amount of water which the applicant intends to apply to beneficial use is 8.21
cubic feet per second being 4.31 c.f.s. from #1 Unnamed Stream and/Res. and
3.90 c.f.s. from #2 Unnamed Stream and #3 Reservoir.
(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 temperature control.
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

#2 Res. & #1 Unn'd. Stream. 4. The point of diversion is located 1160 ft. S. and 960 ft. E. from the NW
(N. or S.) (E. or W.)
corner of Section 12, being within NW 1/4 NW 1/4, Section 12, T. 36 S., R. 2 W., W.M.
(Section or subdivision)

#3 Res. & #2 Unn'd. Stream: located 890' S. & 1510' E. from the NW corner of
Section 12, being within NE 1/4 NW 1/4 of Section 12, T. 36 S., R. 2 W., W.M.

Diversion Point Rogue River: 332' S. & 1987' E. from the NW corner of Sec. 6,
(If preferable, give distance and bearing to section corner)
being within the NE 1/4 NW 1/4, Section 6, Township 36 South, Range 1 West
(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the _____ of Sec. _____, Tp. _____,
(Give smallest legal subdivision) (N. or S.)
R. _____, W. M., in the county of Jackson.
(E. or W.)

5. The pipeline _____ to be 39,700 feet
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SE 1/4 NE 1/4 of Sec. 11, Tp. 36 S.,
(Smallest legal subdivision) (N. or S.)
R. 2 W., W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

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 _____
(Loose rock, concrete, masonry,
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate _____
(Timber, concrete, etc., number and size of openings)

#3 Res. (c) If water is to be pumped give general description two 75 H.P. electric motors,
(Size and type of pump)
two 6" x 8" pumps. #2 Reservoir: one 60 H.P., one 75 H.P. electric motor,
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)
two 6" x 8" pumps.

* A different form of application is provided where storage works are contemplated. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

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, 39,700 ft.; size at intake, 8 in.; size at 1200 ft. from intake 6 in.; size at place of use 5 down to 1 in.; difference in elevation between intake and place of use, +75 ft. Is grade uniform? No. Estimated capacity, sec. ft.

8. Location of area to be irrigated, or place of use

#1 Unnamed Stream & Res.	Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
	36 S.	2 W.	11	SE $\frac{1}{4}$ NE $\frac{1}{4}$	7.9 ac. temp. control
			12	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.9 ac. temp. control
			12	SW $\frac{1}{4}$ NW $\frac{1}{4}$	19.9 ac. temp. control
#2 Unnamed Stream & Reservoir:			12	NW $\frac{1}{4}$ NE $\frac{1}{4}$	0.5 ac. temp. control
			12	NE $\frac{1}{4}$ NW $\frac{1}{4}$	18.2 ac. temp. control
			12	SE $\frac{1}{4}$ NW $\frac{1}{4}$	8.2 ac. temp. control

(If more space required, attach separate sheet)

(a) Character of soil clay loam.
 (b) Kind of crops raised pears.

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, \$.....30,000.00.

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, 1975.

14. The water will be completely applied to the proposed use on or before October 1, 1976.

Modoc Oilfield Co.

G. W. Ben Carter, Mgr.

(Signature of applicant)

Remarks: #2 Modoc Reservoir to be filled from #1 Unnamed Stream and #3
Modoc Reservoir to be filled from #2 Unnamed Stream.

..... Any deficiency in either of these sources to be made up by
appropriation from Rogue River through Table Rock Ditch.

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.....

STATE ENGINEER

By 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 8.21 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, Rogue River and 2 reservoirs to be constructed under application No. R-49915, Permit No. R-6160, water to be diverted from 2 unnamed streams and reservoirs when available with any deficiency in the available supply from streams and reservoirs to be made up from Rogue River provided that the total quantity diverted from both sources shall not exceed 8.21 c.f.s.

The use to which this water is to be applied is temperature control being 4.31 c.f.s. from stream No. 1 and reservoir and 3.9 c.f.s. from stream No. 2 and reservoir.

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated

The permittee shall record and submit annually to the Water Resources Department all pertinent data pertaining to use of water for temperature control on forms furnished.

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 December 13, 1972

Actual construction work shall begin on or before September 10, 1976 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1977.

Complete application of the water to the proposed use shall be made on or before October 1, 1978.

WITNESS my hand this 10th day of September, 1975.

James E. [Signature]
Water Resources Director

Application No. 49916
Permit No. 38079

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 13th day of December, 1972, at 11:15 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. of
Permits on page 38079

STATE ENGINEER

Drainage Basin No. 15 page 60 M.F. 70511

Fees