

STATE ENGINEER
SALEM, OREGON

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Modoc Orchard Co. 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 Modoc Slough
(Name of stream)
a tributary of Rogue River.

2. The amount of water which the applicant intends to apply to beneficial use is 7.95
cubic feet per second being 5.95 c.f.s. for temp. control & 2.0 c.f.s. for supp.
temperature control. (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 and supplementa
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)
temperature control.

4. The point of diversion ^{#1} is located 2170 ft. N. and 3100 ft. E. from the SW
(N. or S.) (E. or W.)
corner of Section 12
(Section or subdivision)

Diversian Point #2: 2050' N. & 3040' E. from the SW corner of Sec. 12;

Diversian Point #3: 1900' N. & 2960' E. from the SW corner of Sec. 12

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the NW 1/4 SE 1/4 of Sec. 12, Tp. 36 S.
(Give smallest legal subdivision) (N. or S.)

R. 2 W., W. M., in the county of Jackson.
(E. or W.)

5. The pipeline to be 34,760 feet (approx.)
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the SW 1/4 SW 1/4 of Sec. 12, 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)

(c) If water is to be pumped give general description #3 60 H.P. electric; #2 30 H.P.
(Size and type of pump)
electric; #1 100 H.P. & 75 H.P. electric; 6" x 8" pumps - centrifugal.
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

* 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, 34,760 ft.; size at intake, 8 in.; size at 1120 ft. from intake 6 in.; size at place of use 5" to 1" in.; difference in elevation between intake and place of use, +15 ft. Is grade uniform? Yes. Estimated capacity, sec. ft.

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

Table with 5 columns: Div., Township North or South, Range E. or W. of Willamette Meridian, Section, Forty-acre Tract, Number Acres To Be Irrigated. Includes entries for Div. #1 & #3 and Div. #2.

(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, \$40,000.00.....

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, 1974.....

14. The water will be completely applied to the proposed use on or before October 1, 1975.....

Muske Orchard Co.

By Ben Kattas

(Signature of applicant)

Remarks:

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 7.95 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 Modoc Slough

The use to which this water is to be applied is temperature control and supplemental temperature control.

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 STATE ENGINEER

Application No. 22917
Permit No. 38080

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 38080

STATE ENGINEER

Drainage Basin No. 15 page 28211

Fees 42.00

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