

RECEIVED JUN 28 1973

STATE ENGINEER SALEM OREGON

Permit No. 38326

CERTIFICATE NO. 50025

*APPLICATION FOR PERMIT

ASSIGNED, See Misc. Rec., Vol. 6 Page 54

ASSIGNED, See Misc. Rec., Vol. 5 Page 799

To appropriate the Public Waters of the State of Oregon

I, John W. and/or Alletta R. Byron (Name of applicant) of 4588 Humbug Creek Road, Applegate, Oregon 97530 (Mailing address) (City) (State) (Zip Code), 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 N/A

1. The source of the proposed appropriation is a spring, a tributary of Humbug Creek Drainage, a tributary of Applegate River.

2. The amount of water which the applicant intends to apply to beneficial use is 0.05 cubic feet per second

3. The use to which the water is to be applied is domestic, and irrigation; being 0.01 c.f.s. for domestic and 0.04 c.f.s. for irrigation.

4. The point of diversion is located 150 ft. N. and 570 ft. W. from the SE corner of Section 35

being within the SE 1/4 SE 1/4 of Sec. 35, Tp. 37 S., R. 4 W., W. M., in the county of Jackson.

5. The pipeline to be 800 feet in length, terminating in the SE 1/4 SE 1/4 of Sec. 35, Tp. 37 S., R. 4 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 spring to be boxed in.

(b) Description of headgate

(c) If water is to be pumped give general description all gravity flow.

* 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, 800 ft.; size at intake, 1 1/4 in.; size at 300 ft. from intake 1 in.; size at place of use 1 in.; difference in elevation between intake and place of use, -40 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 |
|-------------------------|---------------------------------------|---------|------------------|------------------------------|
| 37 S. | 4 W. | 35 | SE 1/4 SE 1/4 | 3.5 acres and domestic. |
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(If more space required, attach separate sheet)

(a) Character of soil granitized loam.

(b) Kind of crops raised pasture and garden.

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 one (1) family.

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$.....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, 1975.

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

* John W. Byron
* (Signature of applicant)
Alletta R. Byron

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 0.045 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 a spring

The use to which this water is to be applied is for domestic use for one family and irrigation, being 0.005 c.f.s. for domestic and 0.04 c.f.s. for irrigation

If for irrigation, this appropriation shall be limited to 1/80th 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 4 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year.

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 June 26, 1973

Actual construction work shall begin on or before October 9, 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 9th day of October, 1975

James E. ...
Water Resources Director

F.H. A

Application No. 50746
Permit No. 38326

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 26th day of June, 1973, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. 38326 of Permits on page

STATE ENGINEER

Drainage Basin No. 15 page 160
Fees \$70.00