

RECEIVED

Permit No. 39180

DEC 12 1974

STATE ENGINEER
SALEM, OREGON

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Modoc Orchard Company, c/o Ben Darnas
(Name of applicant)
of P. O. Box 56, Madford,
(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 S. Fk. Little Butte Creek and
(see remarks) (Name of stream)
North Fork Little Butte Creek, a tributary of Little Butte Creek.

2. The amount of water which the applicant intends to apply to beneficial use is 3.25
cubic feet per second
(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.)

North Fork Little Butte Cr.
4. The point of diversion is located 30 ft. N. and 630 ft. W. from the EW
(N. or S.) (E. or W.)
corner of Sec. 20, being within the SE 1/4 NE 1/4 of Sec. 20, Township 36 S.,
(Section or subdivision)
Range 2 East, W.M.

South Fork Little Butte Creek Diversion is located 600 feet south and
525 feet west from the EW corner of Section 29,
(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 NE 1/4 NW 1/4 of Sec. 29, Tp. 36 S.,
(Give smallest legal subdivision) (N. or S.)
R. 2 E., W. M., both in the county of Jackson.
(E. or W.)

5. The pipeline to be 19,660 feet
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the NE 1/4 NW 1/4 of Sec. 6, Tp. 38 S.,
(Smallest legal subdivision) (N. or S.)
R. 1 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 one 5" x 4" centrifugal and one 6"
(Size and type of pump)
x 5" centrifugal pump. One 40 H.P. electric motor and one 75 H.P. electric
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)
motor.

* 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.

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, \$ 20,000.00.
- 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, 1976.
- 14. The water will be completely applied to the proposed use on or before October 1, 1977.

Meda Orchard Co.
by Rose Martin
(Signature of applicant)

Remarks: The 4.25 c.f.s. of water to come from S. Fk. Little Butte Creek when available, with any deficiency in this amount to be made up from North Fork Little Butte Creek.

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 3.3 cubic feet per second measured at the point of diversion from the South Fork Little Butte Creek and North Fork Little Butte Creek. Water to be diverted from South Fork Little Butte Creek when available with any deficiency in the available supply from South Fork Little Butte Creek to be made up by appropriation from North Fork Little Butte provided that the total quantity diverted from both sources shall not exceed 3.3 c.f.s.

The use to which this water is to be applied is 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 12, 1974

Actual construction work shall begin on or before January 12, 1977 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1978.

Complete application of the water to the proposed use shall be made on or before October 1, 1979.

WITNESS my hand this 12th day of January, 1976.

James E. [Signature]
WATER RESOURCES DIRECTOR

Application No. 52677
Permit No. 39180

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 12th day of December, 1974, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. of
Permits on page 39180

STATE ENGINEER

Drainage Basin No. 15 page 32F
Fees