

RECEIVED

JUN 21 1974

STATE ENGINEER
SALEM, OREGON

ASSIGNED, See Misc. Rec., Vol. 6 Page 1577 Permit No. 39252

*APPLICATION FOR PERMIT ASSIGNED, See Misc. Rec., Vol. 6 Page 283

"CERTIFICATE NO. 68093"

(By Deed)

To Appropriate the Public Waters of the State of Oregon

I, Benson Benjamin (Name of applicant)

of P.O. Box 107 (Mailing address), Tahoe Vista, (City)

State of California, 95732 (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

RECEIVED

AUG 30 1974

STATE ENGINEER
SALEM, OREGON

1. The source of the proposed appropriation is Clear Cr. & Anderson Cr. (Name of stream)

, a tributary of Deer Cr.

2. The amount of water which the applicant intends to apply to beneficial use is 3.4 primary & 2.08 primary from Clear Cr. 3.4 supplemental cubic feet per second 1.32 primary from Anderson Cr.

(If water is to be used from more than one source, give quantity from each)
1.32 supplemental from Clear Cr. & 2.08 supplemental from Anderson Cr.

3. The use to which the water is to be applied is irrigation (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located _____ ft. _____ and _____ ft. _____ from the _____ corner of _____ (N. or S.) (E. or W.)

SEE ATTACHED SHEET

(Section or subdivision)

(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 _____ of Sec. _____, Tp. 37 South (Give smallest legal subdivision) (N. or S.)

R. 8 West, W. M., in the county of Josephine (E. or W.)

5. The _____ to be _____ (Main ditch, canal or pipe line) (Miles or feet)

in length, terminating in the SEE ATTACHED SHEET of Sec. _____, Tp. 37 South (Smallest legal subdivision) (N. or S.)

R. 8 West, W. M., the proposed location being shown throughout on the accompanying map. (E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

see attached notes

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 _____ (Size and type of pump)

(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— *see attached notes*

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
37 South	8 West	26	SE $\frac{1}{4}$ SE $\frac{1}{4}$	24 Ac. primary & sup.
"	"	26	SW $\frac{1}{4}$ SE $\frac{1}{4}$	23 Ac. " "
"	"	26	SE $\frac{1}{4}$ SW $\frac{1}{4}$	9 Ac. " "
"	"	35	NE $\frac{1}{4}$ NE $\frac{1}{4}$	9.8 Ac. " "
"	"	35	NW $\frac{1}{4}$ NE $\frac{1}{4}$	31.7 Ac. " "
"	"	35	SW $\frac{1}{4}$ NE $\frac{1}{4}$	26.6 Ac. " "
"	"	35	SE $\frac{1}{4}$ NW $\frac{1}{4}$	22 Ac. " "
"	"	35	NE $\frac{1}{4}$ NW $\frac{1}{4}$	23.3 Ac. " "
			TOTAL	169.4 Ac. " "

(If more space required, attach separate sheet)

(a) Character of soil

(b) Kind of crops raisedpasture, lawn & 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

Question #4 - The point of diversion is located:

- #1 - 1645' S. and 610' E. from the NW corner of Section 26
- #2 - 1120' N. and 840' W. from the SE corner of Section 26
- #3 - 880' S. and 1500' W. from the NE corner of Section 35
- #4 - 1430' S. and 1495' W. from the NE corner of Section 35

being within the:

- #1 - SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26
- #2 - SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26
- #3 - NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35
- #4 - SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35

terminating in the:

- #1 - SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35
- #2 - NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35
- #3 - NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35
- #4 - SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35

Application No. 52097
Permit No. 39252

RECEIVED

JUN 21 1974

STATE ENGINEER
SALEM, OREGON

RECEIVED

AUG 30 1974

STATE ENGINEER
SALEM, OREGON

#8

Section	TRACT	ACRES	PRIMARY Source	Supplemental Source
26	SE 1/4 SE 1/4	24	Anderson Creek	Clear Creek
26	SW 1/4 SE 1/4	23	Clear Creek	Anderson Creek
26	SE 1/4 SW 1/4	9	Clear Creek	Anderson Creek
35	N.E 1/4 NE 1/4	9.8	Anderson Creek	Clear Creek
35	N.W. 1/4 NE 1/4	13.7	Clear Creek	Anderson Creek
35	N.W. 1/4 NE 1/4	18	Anderson Creek	Clear Creek
35	SW. 1/4 NE 1/4	12.6	Clear Creek	Anderson Creek
35	SW. 1/4 NE 1/4	14	Anderson Creek	Clear Creek
35	SE 1/4 NW 1/4	22	Clear Creek	Anderson Creek
35	NE 1/4 NW 1/4	23.3	Clear Creek	Anderson Creek

JUN 21 1974

(916) 546-2592

STATE ENGINEER
SALEM, OREGON

(916) 546-2529

Clear Creek

#6 - Sand bags have been used to divert the water 10'-20' feet wide and 1'-3' feet high depending on creek level. Head-gate will be concrete with a 3' x 4' foot wood plank to regulate flow. - water flows by gravity.

Clear Creek

#7 - It is approximately one mile from headgate to the edge of the ranch and we have a 20 foot right-of-way over this from Cabax. Open ditch 18" to 16" wide to be used where possible - 12" pipe where rocky and masonry flume where necessary. At the edge of the ranch, the water goes by ditch - zig-zagging in several directions to the floor of the valley directly below. This plan goes in general over the same areas as the previous water system which was in existence over many, many years before we gave up our water rights. We had not intended to work the ranch at that time but have changed our minds & need the water.

As for Anderson Creek - sand bags will be used to make a little pond. A 1 horsepower Centrifugal pump will be used for some sprinklers -

RECEIVED

AUG 30 1974

STATE ENGINEER
SALEM, OREGON

P.O. BOX 109

TAHOE VISTA, CALIFORNIA 95732

Application No. 52097
Permit No. 39252

Municipal or Domestic Supply—

39252

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, \$ 2,000 To 6,000
- 12. Construction work will begin on or before Fall, 1974 or Spring 1975
- 13. Construction work will be completed on or before Summer 1975 (?)
- 14. The water will be completely applied to the proposed use on or before Hopefully 1977

Benson J. Benjamin

(Signature of applicant)

BENSON J. BENJAMIN

Remarks: Corral Dr. & Circle W Dr. as shown on the accompanying maps have never been developed.

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 completion

In order to retain its priority, this application must be returned to the State Engineer, with

corrections on or before	October 14	, 19	74
	January 13		75
	March 24		75

WITNESS my hand this 12th day of August, 19 74

<u>12th</u>	<u>November</u>	<u>74</u>
<u>20th</u>	<u>January</u>	<u>75</u>

CHRIS L. WHEELER
STATE ENGINEER

By *Wayne J. Overcash*
Wayne J. Overcash ASSISTANT

RECEIVED
 FEB 6 1975
 STATE ENGINEER
 SALEM, OREGON
 JAN 15 1975
 STATE ENGINEER
 SALEM, OREGON

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 3.4 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 Clear Creek and Anderson Creek, being 2.08 c.f.s. from Clear Creek and 1.32 c.f.s. from Anderson 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 1/50th 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 1/2 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,

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 January 15, 1975.

Actual construction work shall begin on or before January 28, 1977 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 28th day of January, 1976.

Extended to October 1, 1988

James C. Larson
WATER RESOURCES DIRECTOR STATE ENGINEER

Application No. 52097
Permit No. 39252

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 21 day of June, 1976, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. 39252 of Permits on page

STATE ENGINEER

Drainage Basin No. 15 page 56N
Fees 2000