

NOV 26 1975

CERTIFICATE NO. 57475

WATER RESOURCES DEPT. SALEM, OREGON

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Fred R. Krauss (Name of applicant)

of 3220 North Deer Creek Road, Selma (Mailing address) (City)

State of Oregon, 97538 (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

1. The source of the proposed appropriation is Spring and seepage area (Name of stream), a tributary of Deer Creek

2. The amount of water which the applicant intends to apply to beneficial use is 77764499.29 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 Irrigation (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 181.5 ft. North and 561.4 ft. East from the W. 1/4 corner of Section 8, T. 38 So. Range 7W., W.M. (N. or S.) (E. or W.) (Section or subdivision)

Location of spring: 290' North and 70' East from the West 1/4 corner of Section 8, Twp 38 S., R. 7 W., W. M.

(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 Lot 1 (SW 1/4 NW 1/4) of Sec. 8, Tp. 38 So., R. 7 W., W. M., in the county of Josephine (Give smallest legal subdivision) (N. or S.) (E. or W.)

5. The Infiltration Trench to be 840 feet (Main ditch, canal or pipe line) (Miles or feet)

in length, terminating in the Lot 1 of Sec. 8, Tp. 38 So., R. 7 W., W. M., the proposed location being shown throughout on the accompanying map. (Smallest legal subdivision) (N. or S.) (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 Electric 5 H.P. (Size and type of pump)

5 H.P. Electric 30 Gallons per minute (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.

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, \$ ~~1000.00~~ ^{1000.00}

12. Construction work will begin on or before ~~May 1 1976~~ ^{May 1 1976}

13. Construction work will be completed on or before ~~May 1 1977~~ ^{May 1 1977}

14. The water will be completely applied to the proposed use on or before ~~May 1 1978~~ ^{May 1 1978}

Fred R. Krauss
(Signature of applicant)

Remarks: Information on location of infiltration trenches:

Trench #1 - 230' long, reaching from 20' NE of spring to pond #1

Trench #2 - 300' long, reaching between pond #1 and Pond #2

Trench #3 - 210' long, extending in a northeasterly direction from pond #3

Trench #4 - 70' long, reaching between pond #3 and trench #3

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Beginning at the Northwest corner of D.L.C. No. 39; thence North 00° 15' East along the East line of D.L.C. No. 40 for 743.6 feet; thence West for 462.6 feet; thence North 05° 18' East for 1039.6 feet; thence North 06° 56' West for 546.0 feet; thence North 41° 25' West for 455.3 feet; thence North 10° 29' West for 315.9 feet; thence North 39° 02' West for 337.6 feet; thence North 85° 13' West for 263.7 feet; thence South 12° 19' West for 287.5 feet; thence South 09° 31' West for 718.0 feet; thence South 18° 09' West for 466.0 feet; thence South 01° 08' West for 183.3 feet to the North line of the Wm. Guest D.L.C. No. 40; thence East along the North line of said D.L.C. No. 40 to the northwest corner of the East Half of Donation Land Claim No. 40; thence South along the West line of the East half of Donation Land Claim No. 40 to the North right of way line of Northside Deer Creek Road; thence easterly along said northerly right of way line of Northside Deer Creek Road to the point of beginning. LESS AND EXCEPT the tract of land described in Volume 282 at Page 551 in the Josephine County Deed Records, being more fully described as: Beginning at a point on the northerly right of way line of the Northside Deer Creek Road, 280 feet West of the East Line of Donation Land Claim No. 40 in Section 8, Township 38 South, Range 7 West of the Willamette Meridian, Josephine County, Oregon; thence Northeasterly along the Northerly right of way line of Northside Deer Creek Road to the East Line of said Donation Land Claim No. 40; thence North along the East Line of said Donation Land Claim No. 40 for 1000 feet; thence Southwesterly 400 feet to a point that is 1000 feet Northwesterly from the point of beginning; thence Southeasterly 1000 feet to the point of beginning.

All merchantable timber located within the tract conveyed to Fred R. and Patricia R. Krauss is reserved as the property of Rough and Ready Timber Company.

WITNESS my hand this 4th day of DECEMBER, 1977

James E. Sexson
Director

By *Vestal R. Garner*
Vestal R. Garner

XXXXXXXXXXXX

XXXXXXXXXX

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 0.29 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 and seepage area

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

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 November 26, 1975

Actual construction work shall begin on or before May 3, 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 3rd day of May, 1976

James E. Sisson
WATER RESOURCES DIRECTOR

Application No. 53778
Permit No. 40157

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 November, 1975, at 8:00 o'clock P. M.

Returned to applicant:

Approved:

Recorded in book No. 40157 of Permits on page

STATE ENGINEER
Drainage Basin No. 15 page 56 N.

Fees

FH A