

RECEIVED
MAY 11 1972

Permit No. 41303

STATE ENGINEER
SALEM, OREGON

*APPLICATION FOR PERMIT

"CERTIFICATE NO. 105702"

To Appropriate the Public Waters of the State of Oregon

I, Robert W. Root and Donald G. Root dba Crater Lake Orchards
(Name of applicant)
of P. O. Box 129 (Mailing address), Medford (City),
State of Oregon, 97501 (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 see addendum
(Name of stream)

, a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is see addendum
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.)

4. The point of diversion is located see addendum ft. and ft. from the
(N. or S.) (E. or W.)
corner of
(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.
(Give smallest legal subdivision) (N. or S.)

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

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

in length, terminating in the of Sec. , Tp.
(Smallest legal subdivision) (N. or S.)

R. , 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 Primary Rogue River Valley Irrigation District diversion at South Fork of Little Butte Creek. Primary Whetstone Creek to be 3 ft. wood or concrete structure.
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)

Gravity flow from Rogue River Valley Irrigation District Canal. Electric pump

(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

low pressure high volume from Whetstone Creek.

* 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) see addendum feet; width on bottom see addendum feet; depth of water see addendum feet; grade see addendum feet fall per one thousand feet.

(b) At addendum miles from headgate: width on top (at water line) see addendum feet; width on bottom see addendum feet; depth of water see addendum feet; grade see addendum feet fall per one thousand feet.

(c) Length of pipe, addendum ft.; size at intake, see addendum in.; size at see addendum ft. from intake see addendum in.; size at place of use see addendum in.; difference in elevation between intake and place of use, see addendum ft. Is grade uniform? see addendum Estimated capacity, see addendum 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
S - 36	1 W	32	N.E. 1/4 of N.E. 1/4	20 Acres
S - 36	1 W	32	N.W. 1/4 of N.E. 1/4	11 Acres
S - 36	1 W	29	S.E. 1/4 of S.E. 1/4	24.8 Acres
S - 36	1 W	29	S.W. 1/4 of S.E. 1/4	19 Acres
S - 36	1 W	29	S.W. 1/4 of S.E. 1/4	14.2 Acres
S - 36	1 W	29	S.E. 1/4 of S.W. 1/4	18 Acres
S - 36		29	S.W. 1/4 of S.W. 1/4	14 Acres
		32	N.E. 1/4 of N.W. 1/4	15 Acres
		32	N.W. 1/4 of N.E. 1/4	9 Acres
		32	N.W. 1/4 of N.W. 1/4	7 Acres
				152 Acres

Eastern Portion Temp. Control

Western Portion Temp. Control

(If more space required, attach separate sheet)

(a) Character of soil Clay

(b) Kind of crops raised Pears

Power or Mining Purposes—

9. (a) Total amount of power to be developed see addendum theoretical horsepower.

(b) Quantity of water to be used for power see addendum sec. ft.

(c) Total fall to be utilized see addendum feet.

(Head)

(d) The nature of the works by means of which the power is to be developed see addendum

(e) Such works to be located in see addendum of Sec. see addendum

(Legal subdivision)

Tp. see addendum, R. see addendum, W. M. see addendum

(No. N. or S.)

(No. E. or W.)

(f) Is water to be returned to any stream? see addendum

(Yes or No)

(g) If so, name stream and locate point of return see addendum

see addendum, Sec. see addendum, Tp. see addendum, R. see addendum, W. M. see addendum

(No. N. or S.)

(No. E. or W.)

(h) The use to which power is to be applied is see addendum

(i) The nature of the mines to be served see addendum



Crater Lake Orchards

Medford, Oregon

P.O. Box 129

PHONE 22949

Addendum to Application for Permit to appropriate the Public Waters
of the State of Oregon

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(Continued)

The point of diversion on South Fork Little Butte Creek is 600 ft. South and 525 feet West from the East $\frac{1}{4}$ corner of Section 29 being within the N.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Section 29 twp. 36 S. Range 2 East W.M. in Jackson County.

The point of diversion on Whetstone Creek is S 176' W 2620' from the N.E. Corner of the S.E. $\frac{1}{4}$ of Section 29 twp. 36 S. Range 1 West W.M. being within the N.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ Section 29 twp 36 S. Range 1 West W.M.

Paragraph 5:

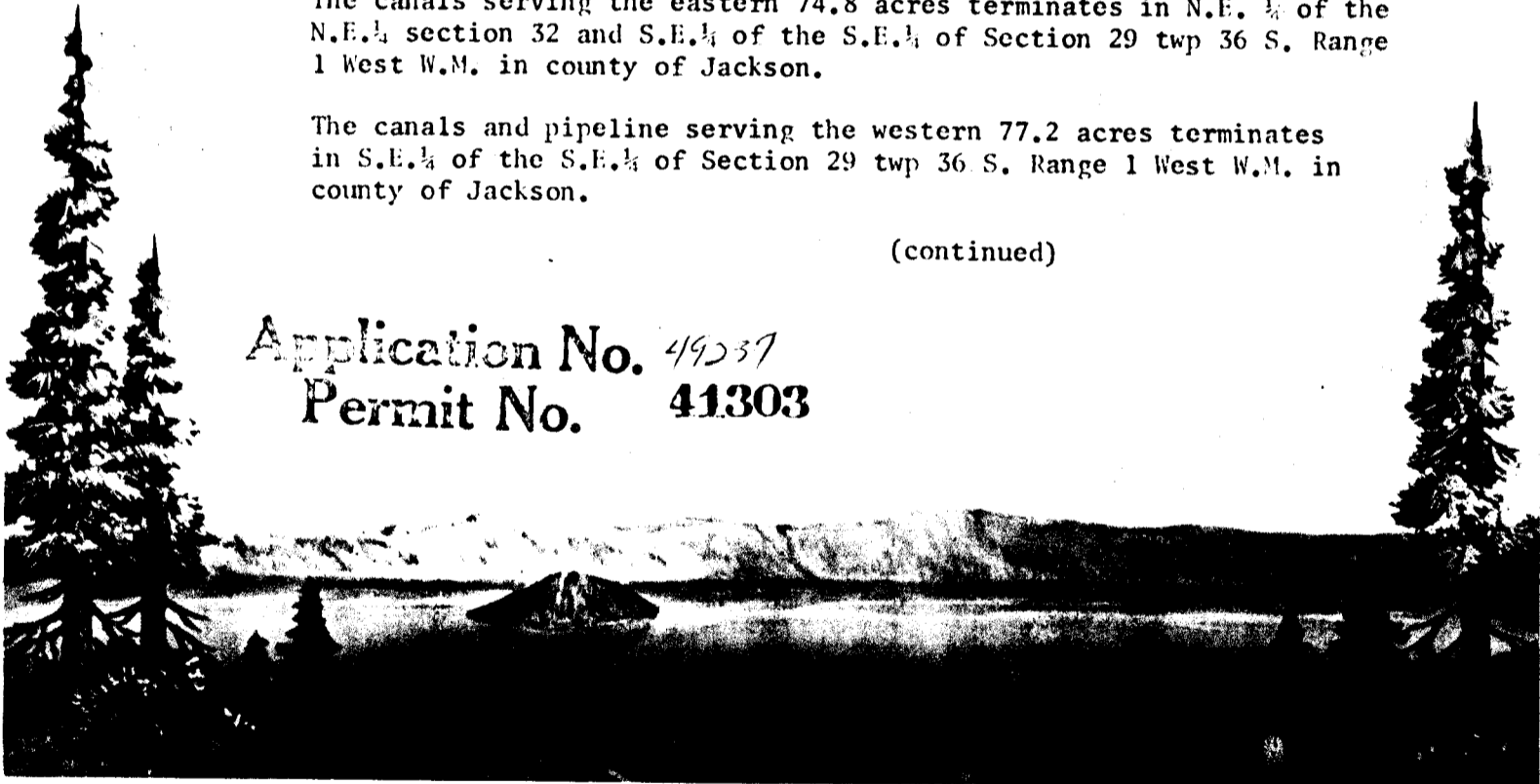
The canal from the primary source for the eastern 74.8 acres is 4 miles
The canal from the secondary source for the eastern 74.8 acres is 16 $\frac{1}{2}$ miles
The pipeline from the primary source for the western 77.2 acres is 660 ft.
The canal from the secondary source for the western 77.2 acres is 4 miles
The canal from the next secondary source for the western 77.2 acres is 16 $\frac{1}{2}$ miles.

The canals serving the eastern 74.8 acres terminates in N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ section 32 and S.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Section 29 twp 36 S. Range 1 West W.M. in county of Jackson.

The canals and pipeline serving the western 77.2 acres terminates in S.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Section 29 twp 36 S. Range 1 West W.M. in county of Jackson.

(continued)

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 SALEM, OREGON

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ADDENDUM TO APPLICATION FOR PERMIT
 TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Paragraph 1:

Primary source for eastern 74.8 acres is Antelope Creek, a tributary of Little Butte Creek.

Secondary source for eastern 74.8 acres is South Fork of Little Butte Creek.

Primary source for western 77.2 acres is Whetstone Creek, a tributary of the Rogue River.

Secondary source for western 77.2 acres is Antelope Creek, a tributary of the Rogue River.

Next Secondary source for western 77.2 acres is South Fork of Little Butte Creek.

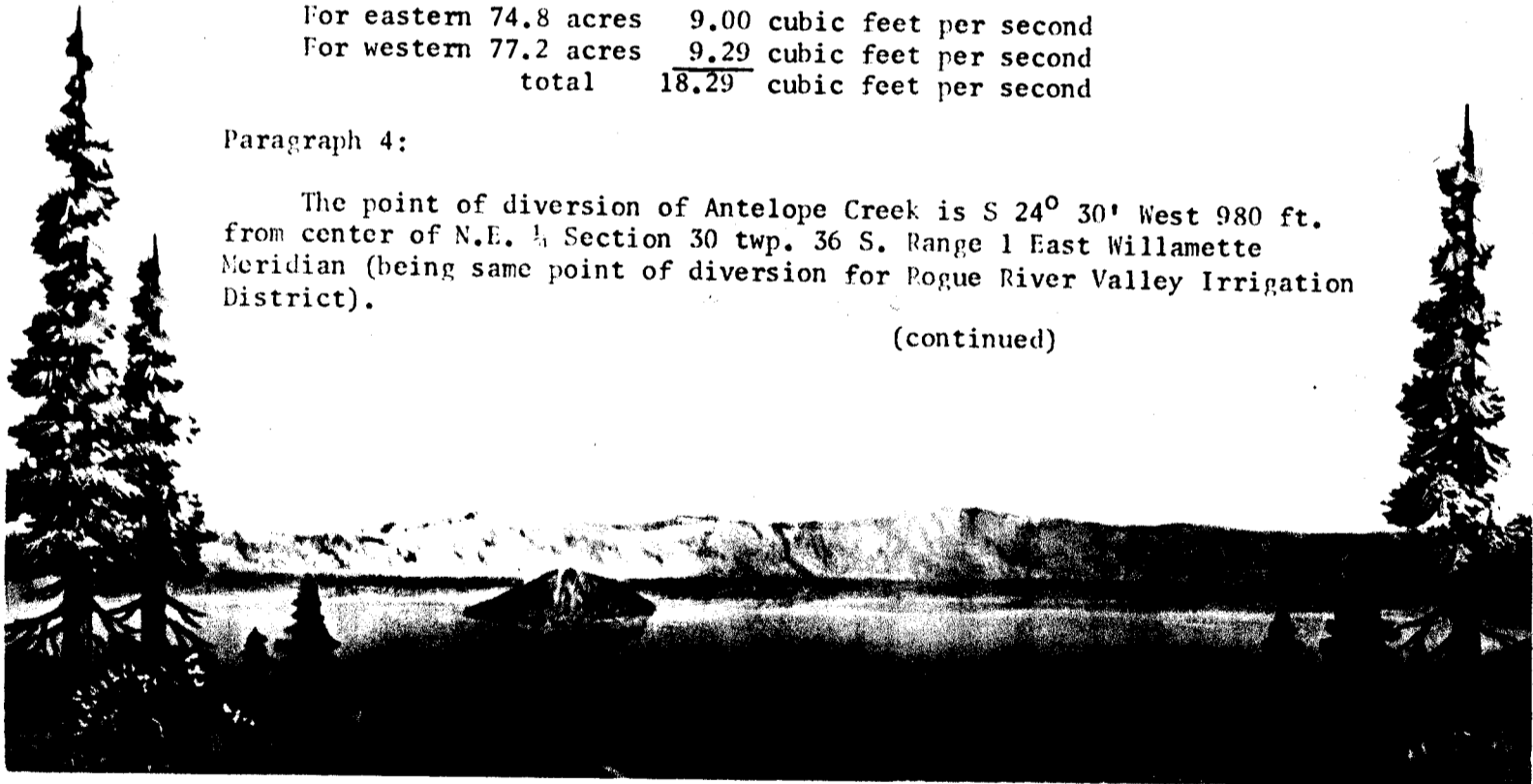
Paragraph 2:

For eastern 74.8 acres	9.00 cubic feet per second
For western 77.2 acres	<u>9.29</u> cubic feet per second
total	18.29 cubic feet per second

Paragraph 4:

The point of diversion of Antelope Creek is S 24° 30' West 980 ft. from center of N.E. 1/4 Section 30 twp. 36 S. Range 1 East Willamette Meridian (being same point of diversion for Rogue River Valley Irrigation District).

(continued)





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(continued)

Paragraph 7:

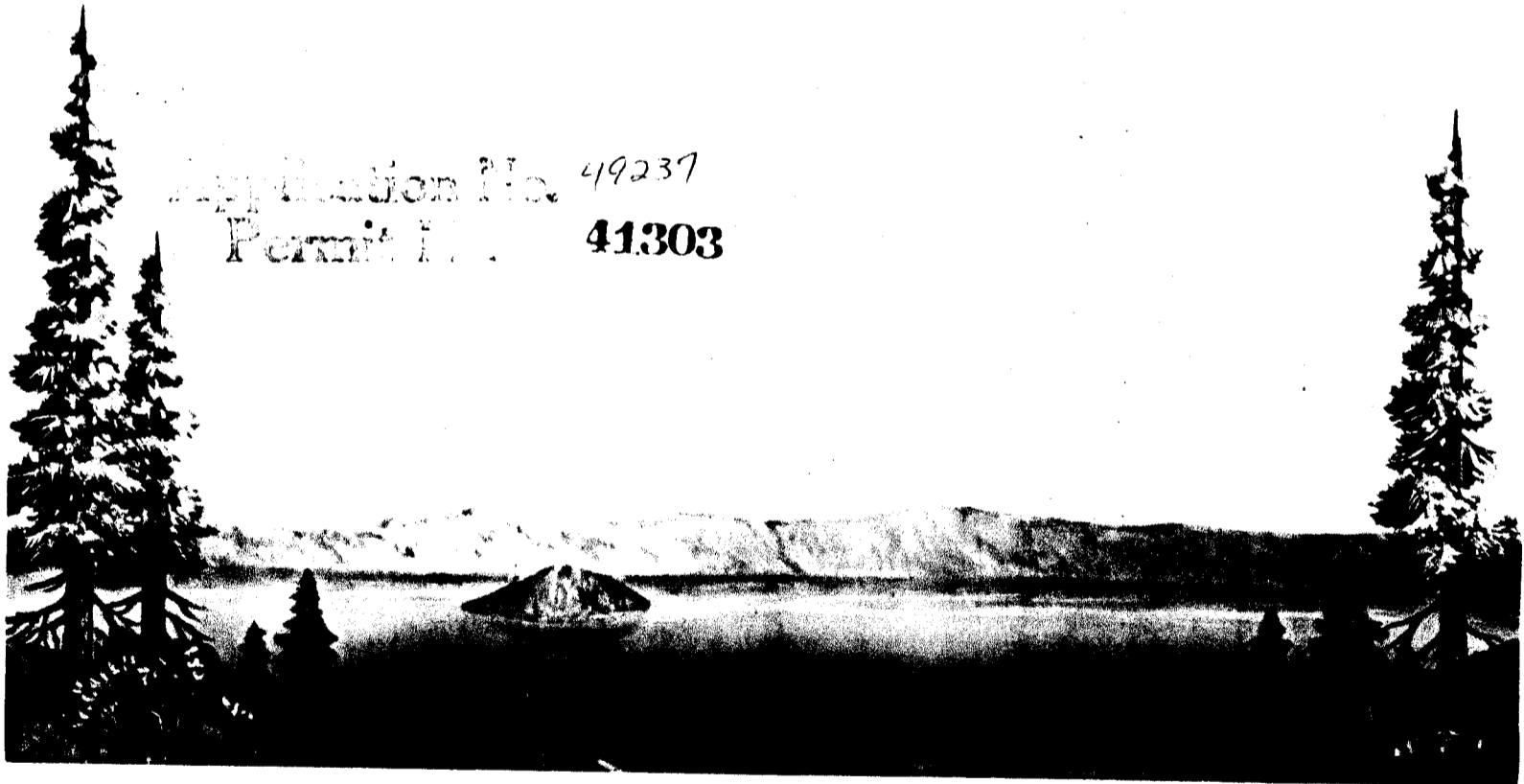
Primary and Secondary systems for eastern portion existing Rogue River Irrigation District canal terminating in Whetstone and "401" Laterals.

Primary system for the western portion does not change along course.

Secondary source for the western portion existing Rogue River Irrigation District canals terminating in Whetstone Creek.

c - Western portion 1200' pipe sized to carry 9.29 cubic feet per second; difference in elevation between intake and place of use uphill 5 ft.; grade is uniform.

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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, \$ 100,000.

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

Donald H. Root
(Signature of applicant)
Robert St. Root
dba *Croton Lake Anchorage*

Remarks:

WATER RESOURCES
DIVISION
STATE OF OREGON

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 correction and completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before March 2, 1977.

WITNESS my hand this 2nd day of December, 1976.

James E. Sexson, Water Resources Director
STATE ENGINEER

By *Les Thine*
ASSISTANT

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 18.29 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 Antelope Creek and Whetstone Creek being 9.0 c.f.s. from Antelope Creek and 9.3 c.f.s. from Whetstone Creek. Any deficiency in the available supply from Antelope Creek to be made up by diversion from South Fork Little Butte Creek and any deficiency in the available supply from Whetstone Creek to be made up by diversion from Antelope Creek when available and from South Fork Little Butte Creek otherwise.

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 May 11, 1972

Actual construction work shall begin on or before March 21, 1978 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. Extended to Oct. 1 1980 Extended to Oct. 1979 Extended to Oct. 1, 1983

WITNESS my hand this 21st day of March 1977. Extended to Oct. 1 1980 Extended to Oct. 1 1981 Extended to Oct. 1, 1983

James E. Sisson
WATER RESOURCES DIRECTOR

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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 11th day of May 1977, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. of 41303
Permits on page

STATE ENGINEER
Drainage Basin No. 15 page 32FF

Fees