

CERTIFICATE NO. 2721-51860

\*Permit No. 4136

Superseded by ABSTRACT 53629 73803 74018

APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, C A Hervey and Joseph Lee Sowell (Name of Applicant) of Kerby R.F.D. No. 1 (Postoffice), Josephine County of Oregon, 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 Althouse Slough (Name of stream), tributary of Althouse Creek

2. The amount of water which the applicant intends to apply to beneficial use is 0.57 cubic feet per second.

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 Commencing at the SW corner of Section 12; thence 140 rods East; thence North 200 yards north; and commencing at the SE corner of Section 12; thence south 80 rods; thence west 165 rods; thence north 30 rods

being within the SE 1/4 of SW 1/4 and NE 1/4 of NW 1/4 of Sec. 12 and 13, Tp. 40 S (Give smallest legal subdivision) (No. N. or S.)

R. 8 W, W. M., in the county of Josephine

5. The ditches to be 500 yards one-half mile (Main ditch, canal or pipe line)

in length, terminating in the SE 1/4 of SW 1/4 of NW 1/4 of SW 1/4 of Sec. 12, Tp. 40 S (Smallest legal subdivision) (No. N. or S.)

R. 8 W, W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the ditch, canal or other works is Hervey Ditches

DESCRIPTION OF WORKS

DIVERSION WORKS— 4 20 4 40 feet, length on top feet, length at bottom 20 40 feet; material to be used and character of construction Lumber (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Wood (Timber, concrete, etc., number and size of openings)

\*A different form of application is provided where storage works are contemplated. These forms can be secured without charge together with instructions, by addressing the State Engineer, Salem, Oregon.

CANAL SYSTEM—

8. (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.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR:

IRRIGATION—

9. The land to be irrigated has a total area of.....34.....acres, located in each smallest legal subdivision, as follows:

(Give area of land in each smallest legal subdivision which you intend to irrigate)

10 acres in NW 1/4 of SW 1/4;

4 acres in NE 1/4 of SW 1/4;

15 acres SE 1/4 of SW 1/4, All in Section 12; and

5 acres in NE 1/4 of NW 1/4 of Section 13; all in Twp 40 S R 8 W.W.M.

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed.....theoretical horsepower.

(b) Total fall to be utilized.....feet.

(Head)

(c) The nature of the works by means of which the power is to be developed.....

(d) Such works to be located in.....of Sec.....

(Legal subdivision)

Tp....., R....., W. M.

(No. N. or S.)

(No. E. or W.)

(e) Is water to be returned to any stream?.....

(Yes or No)

(f) If so, name stream and locate point of return.....

....., Sec....., Tp....., R....., W. M.

(No. N. or S.)

(No. E. or W.)

(g) The use to which power is to be applied is.....

(h) The nature of the mines to be served.....

MUNICIPAL SUPPLY—

11. To supply the city of.....

..... County, having a present population of....., and an estimated population of..... in 191.....

(Answer questions 12, 13, 14, and 15 in all cases)

12. Estimated cost of proposed works, \$ 500.00.....

13. Construction work will begin on or before..... June 15, 1919.....

14. Construction work will be completed on or before..... June 15, 1920.....

15. The water will be completely applied to the proposed use on or before..... June 15, 1921.....

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Water Board, accompany this application.

C A Hervey

(Name of applicant)

Kerby, Oregon, R.F.D. No. 1

Signed in the presence of us as witnesses:

(1) B R Lewis Grants Pass, Oregon (Name) (Address of Witness)

(2) F L Coon Grants Pass, Oregon (Name) (Address of Witness)

Remarks: Althouse slough was originally the old bed of Althouse Creek, but several years ago, the channel of creek changed leaving this slough which is supplied by water from waste waters from irrigation, etc., and runs back into the present Althouse and the slough runs through the applicants' land in such a manner that two ditches are necessary and are to be known as Hervey's ditches, Nos. 1 and 2

STATE OF OREGON, } ss. County of Marion,

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion, as follows:.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before....., 191.....

WITNESS my hand this..... day of....., 191.....

State Engineer.

Application No. 6607

Permit No. 4136

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Division No. District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 26 day of June, 1919, at 8:30 o'clock A.M.

Returned to applicant for correction

Corrected application received

Approved: Jul 10 1919

Recorded in Book No. 15 of Permits, on Page 4136

Percy A Cupper State Engineer.

1 map RS \$8.10

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 the following limitations and conditions: If for irrigation, this appropriation shall be limited to one-eightieth of one cubic foot per second, or its equivalent, for each acre irrigated, and shall be subject to such reasonable rotation system as may be ordered by the proper State officer.

The right to the use of water herein granted is limited to irrigation purposes

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.43 cubic feet per second, or its equivalent in case of rotation.

The priority date of this permit is June 26, 1919

Actual construction work shall begin on or before July 10, 1920 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

June 1, 1921

Complete application of the water to the proposed use shall be made on or before October 1, 1922

WITNESS my hand this 10th day of July, 1919

Percy A Cupper State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Section 6633, Lord's Oregon Laws, and the payment of annual fees as provided in Chapter 213, Session Laws of 1915.