

*Permit No. 4209

APPLICATION FOR A PERMIT ABSTRACT MADE

To appropriate the Public Waters of the State of Oregon

Fred R Benedict

I, (Name of Applicant)

of Applegate Jackson (Postoffice), County of

State 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

Not incorporated

1. The source of the proposed appropriation is Applegate River (Name of stream), tributary of Rogue River

2. The amount of water which the applicant intends to apply to beneficial use is 0.75 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 the diversion point of the New Berryman, an existing ditch, in which applicant has an interest, and through which he expects to make this appropriation; said diversion point is on the south side of Applegate River

being within the SE 1/4 NW 1/4 of Sec. 25, Tp. 38 S (Give smallest legal subdivision) (No. N. or S.)

R. 4 W W. M., in the county of Jackson, Oregon (No. E. or W.)

5. The New Berryman Ditch to Applicant's diversion lateral is about 2 1/2 miles in length, terminating in the SE 1/4 NW 1/4 of Sec. 22, Tp. 38 S (Smallest legal subdivision) (No. N. or S.)

R. 4 W W. M., the proposed location being shown throughout on the accompanying map. extending on down several miles below applicant's diversion to other lands.

6. The name of the ditch, canal or other works is New Berryman Ditch, an existing ditch No enlargement of the ditch is necessary or intended to be made.

DESCRIPTION OF WORKS

Diversion dam and headgate have been constructed and in use for many years; no changes intended.

DIVERSION WORKS—

7. (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)

*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 2 1/2 miles from headgate. Width on top (at water line) six feet; width on bottom 6. (six) feet; depth of water One and 1/8 feet; grade 1 1/3 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 30 acres, located in each smallest legal subdivision, as follows: (Give area of land in each smallest legal subdivision which you intend to irrigate)

20 acres in NW 1/4 NW 1/4

10 acres in NE 1/4 NW 1/4 Sec. 22 Tp 38 S R 4 W.W. M:

Jackson County, Oregon.

(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, \$ 1,000 for pipe line

13. Construction work will begin on or before..... September 1, 1919

14. Construction work will be completed on or before..... September 1, 1920

15. The water will be completely applied to the proposed use on or before..... September 1, 1920

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

Fred R Bennett

(Name of applicant)

Signed in the presence of us as witnesses:

(1) E J Brown Applegate, Oregon (Name) (Address of Witness)

(2) Jno. W Pernoll " (Name) (Address of Witness)

Remarks: Applicant by purchase has acquired three (3) shares in the New Berryman Ditch, an association ditch, which is already constructed, and will simply construct a lateral pipe line to his lands from

said ditch. Other than the installation of this pipe line, no enlargement or construction work whatever will be necessary, or done. The interest acquired in said ditch was conveyed by Gladys Rose, the owner of 12 shares of a total of 36 shares in said ditch by Warranty deed, now of record in the Deed Records of Josephine and Jackson Counties, Oregon. The New Berryman Ditch was constructed many years ago and by reason of improvements has ample capacity to irrigate applicant's lands with surplus waters diverted through it. Other rights in said ditch have been adjudicated.

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.

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Application No. 6684

Permit No. 4209

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 6 day of August, 1919, at 8:30 o'clock A.M.

Returned to applicant for correction

Corrected application received

Approved:

Sep 30 1919

Recorded in Book No. 15 of Permits, on Page 4209

Percy A Cupper

1 map RS State Engineer.

\$7.50

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 0.38 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is August 6, 1919

Actual construction work shall begin on or before September 30, 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 30th day of September, 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.