

Certificate 80462
44349

Application No. 57846

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT RECEIVED

Application for Permit to Appropriate Surface Water JUN 13 1979

UNITED STATES OF AMERICA, ACTING THROUGH THE REGIONAL DIRECTOR, WATER RESOURCES DEPT
I, PACIFIC NORTHWEST REGION, BUREAU OF RECLAMATION SALEM, OREGON

(Name of Applicant)

of Box 043 - 550 WEST FORT STREET BOISE
(Mailing Address) (City)

State of IDAHO Phone No. do hereby
(Zip Code)

make application for a permit to appropriate the following described waters of the State of Oregon:
Hyatt Prairie Reservoir; Howard Prairie Reservoir

1. The source of the proposed appropriation is Emigrant Reservoir; Condie Creek and several tributaries of South Fork Little Butte creek, a tributary of Rogue River shown under remarks (b); several tributaries of Jenny Creek, a tributary of Klamath River shown under remarks (c); and Emigrant Creek, a tributary of Bear Creek, a tributary of Rogue River.

2. The point of diversion is to be located ft. and ft.
(N. or S.) (E. or W.)
from the corner of below Green Springs power plant for lands served by
(Public Land Survey Corner)

Ashland Lateral; and at Emigrant Dam for lands served by East Lateral, Emigrant
(If there is more than one point of diversion, each must be described)
Creek and Talent Lateral from waters stored in Howard Prairie Reservoir, Hyatt Prairie Reservoir and Emigrant Reservoir.

..... being within the SW ¼ of the SE ¼ of
Sec. Tp. 39. & 40. S. R. ... 2. E., W. M., in the county of Jackson
(N. or S.) (E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List ¼ ¼ of Section	List use and/or number of acres to be irrigated
See permit No.s 1382, 1383, 4537, and			25915.	35,000 acres irrigation, domestic, recreation-(Talent, Medford, and Rogue River Irrigation Districts)
39 S.	2 E.	20	A11	Irrigation, Recreation, Domestic, municipal
		29	A11	
		30	E ½	
38 S.	1 W.	22	E ½	City of Talent
		23	A11	
		24	SW¼SW¼	
		25	A11	
		26	A11	
39 S.	1 E.	27	NE	City of Ashland
		4	A11	
		5	A11	
		8	E ½	
		9	A11	
		10	W ½	
		15	N ½	
16	N ½			
		17	NE	

4. The amount of water which the applicant intends to apply to beneficial use is described in permit No. 25915, signed March 16, 1959 - which amount includes release of 2,200 acre-feet ~~public feet per second~~ of water per year at the rate of 2 c.f.s. from Howard Prairie Reservoir for delivery and use of the cities of Talent and Ashland (water to be used from more than one source give quantity from each)

5. The use to which the water is to be applied is irrigation, power, domestic, municipal, as well as recreation, fish and wildlife.

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

(see plan of development and maps attached to and made a part of Permit No. 25915)

This application is provided to supplement and clarify previous filings as to the uses to which the water is applied; and to make the uses authorized under the water right permits consistent with the uses provided in the plan approved by the State of Oregon and authorized and constructed pursuant to the Act of August 20, 1954. This application is intended to be identical to application March 16, 1959, except for these clarifications; and the United States does not by this action acknowledge the forfeiture or relinquishment of any previously acquired rights.

Anticipated delivery and use of waters by the city of Ashland, and development of recreation areas at Emigrant Reservoir are described in the Talent Division, Rogue River Basin Project Report, published as House Document No. 450, 83rd United States Congress--2nd Session. The project was authorized by Act of August 20, 1954, ch. 775, 68 Stat. 752, and subsequently constructed by the Bureau of Reclamation.

If for domestic use state number of families to be supplied.....25,000.....
began in

7. Construction work will ~~begin on or before~~ ~~XXXXXX~~ 1957

was in
8. Construction work will ~~be completed on or before~~ ~~XXXXXX~~ 1958

9. The water will be completely applied to the proposed use on or before...October 1, 1980 (irrigation)

Remarks: It is requested that this application be granted from waters withdrawn from appropriation for this Federal Reclamation Project, by the State Engineer under application numbers 4496, 4497, and 4498, all dated September 1, 1915, and that the priority date of September 15, 1915, be established for this application.

H. R. STEWART

Signature of Applicant

ACTING Regional Director

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 Water Resources Director with corrections on or before July 2, 1979

WITNESS my hand this 2nd day of May, 1979

Water Resources Director

By

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 24th day of August, 1978, at 3:55 o'clock

P. M.

Application No. 57846

Permit No. 44349

Permit to appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD 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 2195.0 acre feet of water stored under application No. R-57845, permit No. R-7916, in Howard Prairie Reservoir constructed under application No. 28536, permit No. R-2210. The stored water is to be released from Howard Prairie Reservoir during the period of April 1 to October 31st of each year, and delivered to the cities of Ashland and Talent by the Talent Irrigation District through the said Districts facilities as provided by agreements dated March 21, 1924; December 7, 1926; November 2, 1937; June 21, 1966 and contract No. 8-07-10-W024 and is subject to the terms and conditions of said agreements and contract or their satisfactory replacements.

The use to which this water is to be applied is municipal use within the described service area of the cities of Ashland and Talent, Oregon. Any reference or purported inclusion of any other use is specifically denied and not included in this permit.

If for irrigation, this appropriation shall be limited to - - - of one cubic foot per second or its equivalent for each acre irrigated.

The State Engineer's withdrawal of water for a Federal Reclamation Project (as set forth in applications number R-4497 and 4498) was for irrigation and domestic use on the farmsteads. It did not include municipal use for any town or community in the area and none was intended by the order of withdrawal. Therefore, the request that the priority date of September 6, 1915, being the date of the State Engineer's withdrawal of water from appropriation for this Federal Reclamation Project, is hereby denied. The issuance of this permit is for additional water rights and does not constitute a cancellation of any rights previously acquired by the irrigation districts or the United States for the Talent Project.

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 August 24, 1978

Actual construction work shall begin on or before August 31, 1980 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1981

Complete application of the water to the proposed use shall be made on or before October 1, 1982

WITNESS my hand this 31st day of August, 1979

James B. DeLeon Water Resources Director