

Application No. 60909

Permit No. 45843

STATE OF OREGON WATER RESOURCES DEPARTMENT **RECEIVED**

Application for Permit to Appropriate Surface Water **OCT 15 1980**

WATER RESOURCES DEPT
SALEM, OREGON

I, David Elliott Cunningham
(Name of Applicant)

of Post Office Box 467, Rogue River
(Mailing Address) (City)

State of Oregon, 97537 Phone No. (503) 582-0342 do hereby
(Zip Code)

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is Moore Gulch supplying Cunningham Reservoir
a tributary of Fooths Creek Middle Fork

2. The point of diversion is to be located 1233 ft. S and 738 ft. E
(N. or S.) (E. or W.)
from the NW corner of NW 1/4 SW 1/4 Section 13, Township 37S, Range 4W
(Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the NW 1/4 of the SW 1/4 of
Sec. 13 Tp. 37S R. 4W, 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 1/4 1/4 of Section	List use and/or number of acres to be irrigated
37S	4W	13	NW 1/4 of SW 1/4	7 acres pasture, grains, orchard and row crop

4. The amount of water which the applicant intends to apply to beneficial use is 1/40
per acre - (see letter of July 16, 1981 OEB)
cubic feet per second. to supply Cunningham Reservoir, to be pumped at 39.2 gpm
(If water is 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 of pasture, grains, row crops and orchard.

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.

A concrete 6' x 10' x 48" diversion pond will be constructed near the stream.
A 1 h.p. electric centrifugal pump will raise water through about 200' of
2" pvc pipe to an earth dam reservoir, 60' x 40' x 6'. A 5 h.p. electric pump
will pump accumulated water from the reservoir through 3" main lines and 2"
lateral lines throughout the fields, supplying a combination of sprinkler and
drip irrigation.

If for domestic use state number of families to be supplied

7. Construction work will begin on or before May, 1981

8. Construction work will be completed on or before September, 1983

9. The water will be completely applied to the proposed use on or before September, 1983

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Remarks:.....
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This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

David E. Cunningham
David E. Cunningham, Applicant
Nancy Lockwood Cunningham
Nancy Lockwood Cunningham

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for.....
.....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before, 19.....

WITNESS my hand this day of....., 19.....

..... Water Resources Director

By

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

15 day of October, 1980, at 8:00 o'clock
A.M.

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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 0.18 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 Moore Gulch and Cunningham Reservoir to be constructed under Application R-60908, Permit R-8277

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

If for irrigation, this appropriation shall be limited to 1/40th 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 4 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir to be constructed under permit No. R-8277,

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 October 15, 1980

Actual construction work shall begin on or before July 27, 1982 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1983

Extended to Oct. 1, 1986 Complete application of the water to the proposed use shall be made on or before October 1, 1984

Extended to Oct. 1, 1986 WITNESS my hand this 27th day of July, 1981

James E. Lyon
Water Resources Director

BHA P