

APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, Frank E. Upton (Name of Applicant) of Central Point (Postoffice), County of Jackson 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

1. The source of the proposed appropriation is Upton Slough (Name of stream)

tributary of Rogue River

2. The amount of water which the applicant intends to apply to beneficial use is 0.50 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 1000 ft. E and 300 ft. S of NE Cor. Sec. 34 Tp. 36 S R. 2 W W M (Give distance and bearing to section corner)

being within the NW of Nw of Sec. 35, Tp. 36 S (Give smallest legal subdivision) (No. N. or S.)

R. 2 W, W. M., in the county of Jackson (No. E. or W.)

5. The ditch to be 1/2 mile (Main ditch, canal or pipe line)

miles in length, terminating in the NE 1/4 of NE 1/4 of Sec. 34, Tp. 36 S (Smallest legal subdivision) (No. N. or S.)

R. 2 W, W. M., the proposed location being shown throughout on the accompanying map. (No. E. or W.)

6. The name of the ditch, canal or other works is Upton Ditch and Pumping plant

DESCRIPTION OF WORKS

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)

Pump direct from Slough

(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) 1 1/2 feet; width on bottom 1.0 feet; depth of water 0.5 feet; grade 1.0 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 30 acres acres, located in each smallest legal subdivision, as follows:

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

15 acres in NE 1/4 of NE 1/4 Sec. 34

15 acres in NW 1/4 of NW 1/4 Sec. 35 all in Tp. 36 S. R. 2 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 \_\_\_\_\_

C O P YROGUE RIVER VALLEY CANAL COMPANY  
204 South Fir StreetMedford, Oregon  
February 15, 1922State Engineer,  
Salem, Oregon.

Dear Sir:

The Rogue River Valley Canal Company is willing to waive any objection to your granting a water right to the owner of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 34 and the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, in Township 26, South Range 2 West, W.M. to pump water from Upton Slue which runs through said NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, for the purpose of irrigating thirty acres of said lands, on the express condition that the right shall be conceded to the Company and shall not be deemed to be waived or lost in any manner by the granting of said right to take from said Slue all waste waters resulting from the irrigation operations carried on by this Company and its customers finding their way into said Slue, said right to remove said waste waters to be prior to any right granted to said Upton.

Yours very truly,

ROGUE RIVER VALLEY CANAL COMPANY  
By R. A. Moran  
Manager

MUNICIPAL SUPPLY—

11. To supply the city of .....  
..... County, having a present population of ....., and an  
(Name of)  
estimated population of ..... in 19.....

(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 1, 1922 .....
- 14. Construction work will be completed on or before ..... June 1, 1923 .....
- 15. The water will be completely applied to the proposed use on or before .....  
..... October 1, 1924 .....

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

Frank E. Upton

(Name of applicant)

Central Point, Jackson Co., Ore.

Signed in the presence of us as witnesses:

- (1) Fred N. Cummings ..... Medford, Ore. ....  
(Name) (Address of Witness)
- (2) .....  
(Name) (Address of Witness)

Remarks: It is the purpose of this application to take water from a natural water  
course or drainage line that occurs on applicants' land and direct same for irrigation  
to lands enumerated above.

Note: The Rogue River Canal Company release the above lands for irrigation  
under this Application reserving, however, the right to divert from the ~~Slough~~ Slough  
waste waters resulting from their irrigating operations on lands above this point of  
diversion. See letter to State Engineer attached to this Application.

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 or completion, as follows:

In order to retain its priority, this application must be returned to the State Engineer, with correc-  
tions, on or before ....., 19.....

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

State Engineer.

Application No. 8280

Permit No. 5367

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 28 day of February, 1922, at 8:30 o'clock A.M.

Returned to applicant for correction

Corrected application received

Approved:

Mar. 8, 1922

Recorded in Book No. 19 of Permits, on Page 5367

Percy A. Cupper

State Engineer.

1 Map R.S. \$7.50

Note. Attention is called to application No. 589, permit No. 407, in the name of the Rogue River Valley Canal Company which covers the irrigation of the land under this Permit

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 herein granted is limited to the appropriation of water from Upton Slough for 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 February 28, 1922

Actual construction work shall begin on or before March 8, 1923 and shall thereafter be prosecuted with reasonable diligence and be completed on or before

June 1, 1924

Complete application of the water to the proposed use shall be made on or before

October 1, 1925

WITNESS my hand this 8th day of March, 1922

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.