

\* Permit No. 6123

ABSTRACT MADE

APPLICATION FOR A PERMIT

CERTIFICATE NO. 8709+8710

To appropriate the Public Waters of the State of Oregon

We, Boyd Miller, Weston Miller, W. O. Wagner, W. O. Heckathorn and Edw. Houston (Name of Applicant)

of Trail (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 Elk Creek and (Yellow Back Canyon for Heckathorn & Houston) (Name of stream)

tributary of Rogue River 0.50 Elk Creek

2. The amount of water which the applicant intends to apply to beneficial use is amount of appropriation for all lands under this application. 0.25 Yellow Rock Canyon amount of appropriation for Heckathorn & Houston lands when not using Elk Creek waters.

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 Elk Creek, Southwesterly 1300 feet from 1/4 cor. between Sec. 8 & 9 (Give distance and bearing to section corner) Yellow Rock Cr. 600' E 200' N from center of NE 1/4

being within the NE 1/4 of SE 1/4 of Sec. 20, Tp. 33 S (Give smallest legal subdivision) (No. N. or S.)

R. 1 E, W. M., in the county of Jackson (No. E. or W.)

5. The ditch to be 1 1/2 miles (Main ditch, canal or pipe line) in length, terminating in the NE 1/4 NE 1/4 of Sec. 20, Tp. 33 S (Smallest legal subdivision) (No. N. or S.)

R. 1 E, 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 Heckathorn and Houston extension of Pence Ditch.

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 2 feet, length on top 20 feet, length at bottom feet; material to be used and character of construction

Log Dam (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Box 6' long, 3' wide, 2' deep. (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) 4 feet; width on bottom 2.5 feet; depth of water 1.0 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 37 acres, located in each smallest legal subdivision, as follows:

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

Table with 3 columns: Area description, Section, and Name. Includes entries like '8 acres in SW 1/4 of SE 1/4 Sec. 8 Boyd Miller' and '10 acres in NE 1/4 of NE 1/4 Sec. 20 W. O. Heckathorn & Edw. Houston.'

(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 \_\_\_\_\_  
\_\_\_\_\_  
(Name of) County, having a present population of \_\_\_\_\_,  
and an estimated population of \_\_\_\_\_ in 19\_\_\_\_\_.

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

- 12. Estimated cost of proposed works, \$ 750.00
- 13. Construction work will begin on or before April 1st, 1924.
- 14. Construction work will be completed on or before April 1st, 1925.
- 15. The water will be completely applied to the proposed use on or before \_\_\_\_\_  
Close of season 1925.

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

Boyd Miller, Weston Miller,  
(Name of applicant)

W. Wagner,  
Edward Houston,

W. O. Heckathorn,  
by James Miller, Edward Houston.

Signed in the presence of us as witnesses:

- (1) \_\_\_\_\_, \_\_\_\_\_  
(Name) (Address of Witness)
- (2) Fred N. Cummings, \_\_\_\_\_  
(Name) (Address of Witness)

Remarks: \_\_\_\_\_

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 corrections, on or before \_\_\_\_\_

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_

State Engineer.

Application No. 9 2 8 6

Permit No. 6123

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 1 day of December, 1923, at 1:30 o'clock P.M.

Returned to applicant for correction

Corrected application received

Approved:

January 12, 1924.

Recorded in Book No. 21 of Permits, on Page 6123

Rhea Luper

1 map ER State Engineer.

\$8.55

STATE OF OREGON, ) ss. County of Marion, )

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 Elk Creek and Yellow Rock Canyon 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 0.46 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is December 1, 1923.

Actual construction work shall begin on or before January 12, 1925. and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1926

Complete application of the water to the proposed use shall be made on or before October 1, 1927

WITNESS my hand this 12th day of January, 1924 Rhea Luper.

State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Section 5723, Oregon Laws, and the payment of annual fees as provided in Section 5803, Oregon Laws.