

SUPERSEDED CERTIFICATE NO. 44950

Superseded by 54420 6124
Cert. No. 40370

SUPERSEDED CERTIFICATE NO. 42285 *Permit No. 6124

CERTIFICATE NO. 43985

Superseded by 50907
Cert. No. 4484

44076
44128
Superseded by 37661
Cert. No. 7486
7487
7488

APPLICATION FOR A PERMIT

To Appropriate the Public Waters of the State of Oregon

We, J.W., L.E., John, Mark and L. A. Neathamer, J. E. Smithpeter, R.E. & E. M. Richman, (Name of Applicant)

of Rogue River (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 EVANS CREEK (Name of stream)

tributary of Rogue River

2. The amount of water which the applicant intends to apply to beneficial use is 1.15 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 West 790 ft. and North 530 ft. from 1/4 cor. between Sec. 34 and 3, Tp. 34 and 35 S. R 3 W.W.M. (Give distance and bearing to section corner)

being within the SE 1/4 of SW 1/4 of Sec. 34, Tp. 34 S, R. 3 W, W. M., in the county of Jackson (No. E. or W.) (Give smallest legal subdivision) (No. N. or S.)

5. The main ditch to be 3 miles in length, terminating in the NW 1/4 SW 1/4 of Sec. 5, Tp. 35 S, R. 3 W, W. M., the proposed location being shown throughout on the accompanying map. (Main ditch, canal or pipe line) (Smallest legal subdivision) (No. N. or S.)

6. The name of the ditch, canal or other works is Neathamer, Smithpeter and Richman, Extension of Carter Ditch,

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 4 feet, length on top 50 feet, length at bottom 40 feet; material to be used and character of construction Logs and sheeting (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Box 6' long, 3 feet wide, 2 feet 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 3 feet; depth of water 10 feet; grade 1 feet fall per one thousand feet.

(b) At 1 miles from headgate. Width on top (at water line) 3 feet; width on bottom 2 feet; depth of water 1 feet; grade 1.0 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 90 acres, located in each smallest legal subdivision, as follows:

8 ac. SE 1/4 SW 1/4 Sec. 33

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

4 ac. NW 1/4 NE 1/4 Sec. 4

Tp. 34 & 35 S R 3 W.

J. W. Neathamer

8 ac. SE 1/4 NW 1/4

12 ac. SW 1/4 NW 1/4

20 ac. NW 1/4 SW 1/4

Sec. 5 T 35 S. R. 3 W.

R. E. & E. M. Richman.

8 ac. NE 1/4 NW 1/4 Sec. 4

2 ac. SW 1/4 SW 1/4 Sec. 33

Tp. 34 & 35 R 3 W.

L. E. Neathamer.

8 ac. NW 1/4 NW 1/4 Sec. 4 T 35 S R 3 W.

NOTE: See Remarks.

J. E. Smithpeter,

15 ac. NE 1/4 NE 1/4

5 ac. NW 1/4 NE 1/4 Sec. 5

Tp. 35 S R 3 W.

John, Mark and L. A. Neathamer.

(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, \$ 1,000.00

13. Construction work will begin on or before Nov. 20, 1923.

14. Construction work will be completed on or before Nov. 20, 1924.

15. The water will be completely applied to the proposed use on or before Oct. 1, 1925.

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

J. W. Neathamer,

(Name of applicant)

L. E. Neathamer,

J. E. Smithpeter,

John, Mark and L. A. Neathamer,

Rogue River, Oregon.

Signed in the presence of us as witnesses: By Mark Neathamer, --

R. E. & E. M. Richman, by R.E.R.

(1) (Name) (Address of Witness)

(2) Fred N. Cummings Medford, Oregon. (Name) (Address of Witness)

Remarks: NOTE: The amount of water appropriated in this application, viz. 1.15 s.f. is intended as the amount appropriated for the lands under this application as enumerated above, viz. 90 acres.

Permission is also asked of the State under this application, to convey the waters granted to D. E. Neathamer, viz. 0.30 s.f. under Permit No. 3937, Certificate No. 3243 to lands enumerated in that certificate, viz. 23 acres, by means of ditch under this application, in lieu of ditch under that certificate.

Permission is also asked of the State under this application to convey the waters granted to E.M. Richman, viz. 0.25 s.f. under Permit No. 3312, Certificate No. 3571 to lands enumerated in that certificate, viz. 20 acres, by means of ditch under this application, in lieu of Pumping Plant under that certificate.

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

WITNESS my hand this day of

Application No. 9 2 8 7

Permit No. 6124

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 6124

RHEA LUPER

State Engineer.

1 map ER

\$16.50

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 SHANS Creek 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 1.13 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.