

Application No. 37619
 Permit No. 44909
 Certificate No. 54021

FEEES PAID

Date	Amount	Receipt No.
5-7-62	\$10.00	33731
5-18-77	4013.00	60617
	B. P. Fee	
	\$1 Cert. Fee	

Name State of Oregon
 By Oregon State Game Comm. & Fish Comm.
 Address P. O. Box 4136
Portland 8, Oregon

Stream Index, Page No. 15-606

See: R-37616
 37617
 R-37618

FEEES REFUNDED

Date	Amount	Check No.
8-12-80	5.00	4335

Date filed May 7, 1962
 Priority 5-7-1962
 Action suspended until ok cert

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

Returned to applicant
 Date of approval JUL 14 1980

REMARKS

CONSTRUCTION
 Date for beginning JUL 14 1981
 Date for completion OCT 1 1982
 Extended to
 Date for application of water OCT 1 1983
 Extended to

33812W
 33884W
 34594W
 34884W
 33894W
 338104W
 348114W
 358134W
 358144W
 378114W
 368134W
 368154W

PROSECUTION OF WORK

Form "A" filed
 Form "B" filed
 Form "C" filed

FINAL PROOF

Blank mailed Jan. 3, 1986
 Proof received
 Date certificate issued MAR 21 1986

W.R.I.S.
 Assembled 7.29.86
 Entered _____ by _____
 Verified _____ by _____

DEPARTMENT OF FISH AND WILDLIFE

of PO Box 3503, Portland, State of Oregon 97208,
has applied beneficially the waters of
Lost Creek Reservoir constructed under Permit R-8410

a tributary of Rogue River for the purpose of
fishery enhancement

under Permit No. 44909 and that the use of said waters has been completed under the
terms of said permit; that the priority of the right dates from
May 7, 1962
that the amount of water for the purposes aforesaid, has been actually beneficially used in the
amount of
2000 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the SE 1/4 NW 1/4, Section 26, T33S, R1E, WM;
2000 feet South and 1700 feet East from the NW Corner, Section 26.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to ----- of one cubic foot per second
per acre,

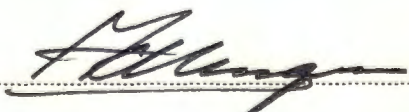
and shall
conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right, and to which such right is appurtenant, is
as follows:

SEE NEXT PAGE

I have read the above and foregoing proof of appropriation of water; I know the contents
thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 11 day of FEBRUARY,
1986.



ASSISTANT CHIEF ENGINEER
TITLE

they are first reached as the river flows downstream, but the sections within those townships are arranged in numerical order.

JACKSON COUNTY

Township 33 South	Range 1 East,	Sections	26, 27, 31, 32, 33, and 34.
T33S	R1W	Sections	35 and 36.
T34S	R1W	Sections	2, 3, 10, 15, 16, 21, 28, 29, 32, and 33.
T35S	R1W	Sections	4, 5, 8, 9, 16, 17, 20, 29, 31, and 32.
T36S	R1W	Sections	6 and 7.
T36S	R2W	Sections	1, 12, 13, 14, 15, 16, 17, 18, 19, and 20.
T36S	R3W	Sections	1, 2, 10, 11, 12, 13, 15, 16, 17, 19, 20, 21, and 22.
T36S	R4W	Sections	19, 20, 21, 22, 24, 25, 26, and 27.

JOSEPHINE COUNTY

T36S	R5W	Sections	19, 20, 21, 22, 23, and 24.
T36S	R6W	Sections	14, 15, 17, 18, 19, 20, 21, 22, 23, and 24.
T36S	R7W	Sections	1, 2, 11, 12, 13, and 14.
T35S	R7W	Sections	4, 5, 6, 8, 9, 10, 11, 14, 23, 24, 25, 26, 35, and 36.
T35S	R8W	Section	1.
T34S	R8W	Sections	1, 2, 5, 6, 12, 15, 24, 25, and 36.
T34S	R7W	Sections	6, 18, 19, and 30.
T34S	R9W	Sections	1 and 12.
T33S	R9W	Sections	16, 21, 22, 23, 26, 35, and 36.

CURRY COUNTY

T33S	R9W	Sections	17 and 18.
T33S	R10W	Sections	9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, and 30.
T33S	R11W	Sections	25, 35, and 36.
T34S	R11W	Sections	1, 2, 3, 8, 9, 10, 16, 17, 18, 19, 30, and 31.
T35S	R11W	Sections	6, 7, and 18.
T35S	R12W	Sections	10, 11, 12, 13, 15, 16, 20, 21, 29, 30, and 31.
T35S	R13W	Sections	31, 32, 33, and 34.
T36S	R13W	Sections	1, 2, and 3.
T36S	R14W	Sections	1, 2, 9, 10, 11, 12, 15, 16, 17, 20, 29, and 30.
T36S	R15W	Sections	25 and 36.

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 Lost Creek Reservoir storage assigned (Name of stream) to fishery enhancement, a tributary of Pacific Ocean

2. The amount of water which the applicant intends to apply to beneficial use is maximum of 2,000 cubic feet per second, but varying as outlined on attached sheet. (If water is to be used from more than one source, give quantity from each)

**3. The use to which the water is to be applied is fish life use by improving downstream environmental conditions (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 2400 ft. S and 4200 ft. E from the NW corner of Sec. 26. All water to be released directly from the reservoir to the natural Rogue River channel immediately below the dam and to remain in that channel for its length from the dam to the Pacific Ocean. (Section or subdivision)

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the NE 1/4 of Sec. 26, Tp. 33 S., R. 1 E., W. M., in the county of Jackson (Give smallest legal subdivision) (N. or S.) (E. or W.)

5. The main ditch to be 1.5 miles or feet in length, terminating in the NE 1/4 of Sec. 26, Tp. 33 S., R. 1 E., W. M., the proposed location being shown throughout on the accompanying map. (Main ditch, canal or pipe line) (Smallest legal subdivision) (N. or S.) (E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 360 feet, length on top 8130 feet, length at bottom approx. 300 feet; material to be used and character of construction earth, rock and gravel material. (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Regulating tower and 13.5' horseshoe-shaped, concrete-lined tunnel. Flow controlled by two 7.5' x 12' slide gates. (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description (Size and type of pump)

(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

*A different form of application is provided where storage works are contemplated.

**Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

Canal System or Pipe Line—

7. (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) feet; width on bottom feet; depth of water feet; grade 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.

(c) Length of pipe, ft.; size at intake, in.; size at ft. from intake, in.; size at place of use in.; difference in elevation between intake and place of use, ft. Is grade uniform? Estimated capacity, sec. ft.

8. Location of area to be irrigated, or place of use

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
33 S.	1 E.	26	NE $\frac{1}{4}$	(dam)
thence running in stream channel to				
36 S.	15 W.	36	-	(ocean)
as shown on accompanying map.				

(If more space required, attach separate sheet)

(a) Character of soil

(b) Kind of crops raised

Power or Mining Purposes—

9. (a) Total amount of power to be developed theoretical-horsepower.

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized feet.
(Head)

(d) The nature of the works by means of which the power is to be developed

12. Construction work will begin on or before Unknown - not yet authorized by Congress

13. Construction work will be completed on or before Unknown

14. The water will be completely applied to the proposed use on or before Unknown

PN Schneider
(Signature of applicant)
Robert H. Lehning

Remarks: This project is to be developed by the United States Army Corps of Engineers through its Rogue River Basin program. The report as submitted to the Congress provides for annual fisheries benefits of \$620,000; these benefits to be derived from Lost Creek Reservoir being assigned to fisheries interest and from the controlled release of up to 2,000 cubic feet per second of water to provide higher minimum flows and lower water temperatures. The development is contingent upon appropriate action by Congress to provide for funds for construction and to authorize the portion assigned to fishery enhancement as a nonreimbursable item. In the event of shortages, the releases from the available storage in the reservoir will be governed by the regulations as set forth in the authorized legislation.

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

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

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

STATE ENGINEER

By ASSISTANT

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 EXISTING RIGHTS 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 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

The use to which this water is to be applied is

If for irrigation, this appropriation shall be limited to 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 priority date of this permit is

Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

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

STATE ENGINEER

7
PUBLIC
TE
ived in the
m, Oregon,
M.
of
ENGINEER
e 606

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 Lost Creek Reservoir (Rogue River) storage assigned to fishery benefits, a tributary of Pacific Ocean

2. The amount of water which the applicant intends to apply to beneficial use is 225,000 acre feet cubic feet per second (see Remarks following item No. 14 on third page).

3. The use to which the water is to be applied is fish life use by improving down river flow quality and quantity.

4. The point of diversion is located 2,000 ft. S and 1,700 ft. E from the NW corner of Section 26, T. 33 S, R. 1 E. All water to be released from the reservoir directly to the natural Rogue River channel immediately below the dam (via regulating outlet or powerhouse) and remain in that channel for its length from the dam to the Pacific Ocean.

being within the SW 1/4 of Sec. 26, Tp. 33 S, R. 1 E, W. M., in the county of Jackson

5. The (none) to be in length, terminating in the of Sec. , Tp. , R. , W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 345 feet, length on top 3,600 feet, length at bottom about 170 feet; material to be used and character of construction earth, rock, and gravel material, with a two foot riprap facing on the gravel.

(b) Description of headgate Regulating outlet tower and 13.5 foot horse shoe shaped, concrete lined tunnel at right abutment. Flow controlled by two 6.5 x 12.5 foot slide gates.

(c) If water is to be pumped give general description

(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

*A different form of application is provided where storage works are contemplated.

**Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

INSPECTION 9-5-83

13820

8. Location of place of use ~~will be~~ the Rogue River channel from Lost Creek Dam to the Pacific Ocean. The river's course crosses, borders, or otherwise occupies a part of the following listed sections. The townships are listed as they are first reached as the river flows downstream, but the sections within those townships are arranged in numerical order.

JACKSON COUNTY

- ok T. 33S, R. 1E, Sections 26, 27, 31, 32, 33, and 34.
- ok T. 33S, R. 1W, " 35 and 36.
- ok T. 34S, R. 1W, " 2, 3, 10, 15, 16, 21, 28, 29, 32 and 33.
- ok T. 35S, R. 1W, " 4, 5, 8, 9, 16, 17, 20, 29, 31 and 32.
- ok T. 36S, R. 1W, " 6 and 7.
- ok T. 36S, R. 2W, " 1, 12, 13, 14, 15, 16, 17, 18, 19 and 20.
- ok T. 36S, R. 3W, " 1, 2, 10, 11, 12, 13, 15, 16, 17, 19, 20, 21 and 22.
- ok T. 36S, R. 4W, " 19, 20, 21, 22, 24, 25, 26 and 27.

JOSEPHINE COUNTY

- ok T. 36S, R. 5W, Sections 19, 20, 21, 22, 23 and 24.
- ok T. 36S, R. 6W, " 14, 15, 17, 18, 19, 20, 21, 22, 23 and 24.
- ok T. 36S, R. 7W, " 1, 2, 11, 12, 13 and 14.
- ok T. 35S, R. 7W, " 4, 5, 6, 8, 9, 10, 11, 14, 23, 24, 25, 26, 35 and 36.
- ok T. 35S, R. 8W, " 1.
- ok T. 34S, R. 8W, " 1, 2, 5, 6, 12, 13, 24, 25 and 36.
- ok T. 34S, R. 7W, " 18, 19 and 30.
- ok T. 34S, R. 9W, " 1 and 12.
- ok T. 33S, R. 9W, " 16, 21, 22, 23, 26, 35 and 36.
- ok T 33S R 8W 33, 33, 34, 35

CURRY COUNTY

- ok T. 33S, R. 9W, Sections 17, 18, 21, 22, 23, 26, 35 & 36
- ok T. 33S, R. 10W, " 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20 and 30.
- ok T. 33S, R. 11W, " 25, 35 and 36.
- ok T. 34S, R. 11W, " 1, 2, 3, 8, 9, 10, 16, 17, 18, 19, 30 and 31.
- ok T. 35S, R. 11W, " 6, 7 and 18.
- ok T. 35S, R. 12W, " 10, 11, 12, 13, 15, 16, 20, 21, 29, 30 and 31.
- ok T. 35S, R. 13W, " 31, 32, 33 and 34, 36
- ok T. 36S, R. 13W, " 1, 2 and 3.
- ok T. 36S, R. 14W, " 1, 2, 9, 10, 11, 12, 15, 16, 17, 20, 29 and 30
- ok T. 36S, R. 15W, " 25 and 36.
- ok T 35S R 14W 36

12. Construction work will begin on or before started in 1967
13. Construction work will be completed on or before flood control storage by October 1975, and final completion in 1977.
14. The water will be completely applied to the proposed use on or before as soon as
made available by the Corps of Engineers; spring of 1976.

Leslie C. Zumwalt
 (Signature of applicant)
 Leslie C. Zumwalt, Acting Director

Remarks: This dam is being constructed by the Corps of Engineers as a part of the Rogue River Project. The Corps' report which supported the authorization provided for an annual fishery benefit of \$620,000 through the improvement of down river flow quality and quantity. This is to be achieved by supplementing the natural and/or S.W.R.B. programmed flows to maintain the following minimum flow quantities from the dam to the Pacific Ocean.

700 cfs	from February 1 through April 30.
1,000 "	" May 1 through May 15, and September 8 through January 31.
1,300 "	" May 16 through May 31.
1,500 "	" June 1 through June 10, and August 21 through September 7.
1,800 "	" June 11 through June 30.
2,000 "	" July 1 through August 20.

The transition in flow quantities, especially between August 21 and September 7, must be gradual and should be accomplished smoothly over a period of not less than 96 hours to prevent loss of fish through stranding and dewatering.

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

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

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

STATE ENGINEER
 By _____ ASSISTANT

stream, or its equivalent in case of rotation with other water users, from Lost Creek Reservoir to
constructed
be stored under application No. R-37618, permit No. R-8140 trib Lost Creek
Rogue River

The use to which this water is to be applied is fishery enhancement by improving downstream
environmental conditions, as provided in PL87-874 and generally described in House
Document 566, which, by reference, is made a part of this permit. The Lost Creek*

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

* Reservoir storage allocation assumes both Lost Creek and Elk Creek dams operating
in tandem as a part of the Rogue Basin Project. If Congress modifies the Rogue Basin
Project, it could result in modifications of the storage allocation and permits for
downstream withdrawals. In years of short water supply, all water users will share
the available stored water supply in the same proportion that they would share the
total full supply when it is available as provided by PL87-874.

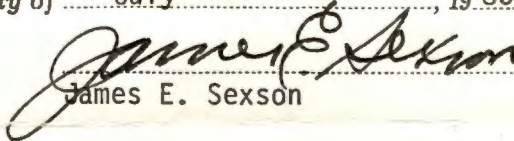
and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is May 7, 1962

Actual construction work shall begin on or before July 14, 1981 and shall
thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1982.

Complete application of the water to the proposed use shall be made on or before October 1, 1983.

WITNESS my hand this 14th day of July, 1980.


James E. Sesson Director
STATE ENGINEER

Application No. 37619
Permit No. 44909

PERMIT

TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

This instrument was first received in the
office of the State Engineer at Salem, Oregon,
on the 7th day of May,
1980 at 8:00 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. of

Permits on page

STATE ENGINEER

Drainage Basin No. page

Fees

RECEIVED

SEP 13 1985

WATER RESOURCES DEPT

SALEM, OREGON

APPL. # 37619

INFO: TALKED TO A.J. DEMARIS, MANAGER OF COLE M.
RIVERS FISH HATCHERY.

SITE LOCATED BELOW LOST CREEK DAM ON HWY
62, TRAIL, OREGON.

SOURCE: LOST CREEK RESERVOIR (R-8146) (ROGUE RIVER)

SYSTEM: OPERATES SAME AS APPL # 48639.

MAX. USE: 87 TRACENAYS @ 1000 G.P.M EACH.

26 CIRCULARS @ 700 G.P.M EACH.

6 ADULT PONDS @ 5 C.F.S.

MAX. USE USED IN MID-AUGUST, MID-OCTOBER
& MID-APRIL.

LIFT: 23 ft. FALL.

USE: FISH ENHANCEMENT OF SPRING & FALL CHINOOK,
SUMMER & WINTER STEELHEAD, RAINBOW TROUT
& CONO.

MAX. FISH PRODUCTION IS 442,000 LBS OF
FISH.

TIE: INSPECTION

B. Lisa James

9-5-85 W.R.E.

11, 15, 11

ROGUE RIVER BASIN, OREGON AND CALIFORNIA

LETTER

FROM

THE SECRETARY OF THE ARMY

TRANSMITTING

A LETTER FROM THE ACTING CHIEF OF ENGINEERS, DEPARTMENT OF THE ARMY, DATED JULY 13, 1962, SUBMITTING A REPORT, TOGETHER WITH ACCOMPANYING PAPERS AND ILLUSTRATIONS, ON A SURVEY OF THE ROGUE RIVER BASIN, OREGON AND CALIFORNIA, AUTHORIZED BY PUBLIC LAW 183, 74TH CONGRESS, APPROVED JULY 1, 1935, AND THE FLOOD CONTROL ACTS, APPROVED JUNE 22, 1936 AND JULY 3, 1958



SEPTEMBER 21, 1962.—Referred to the Committee on Public Works and ordered to be printed with six illustrations

d. Storage of flood waters would be initiated in advance of predicted occurrence of flood stages at downstream control points. For Applegate Reservoir, storage would be initiated about 6 hours in advance of predicted flood stages at Applegate. For Lost Creek and Elk Creek, a period of 12 hours in advance of predicted flood stages at Grants Pass would be used. These time allowances are based on relative time of occurrence of flood peaks at the damsites and the downstream control stations. Release of stored flood waters following a flood peak would be accomplished as rapidly as possible without exceeding bankfull stages at the downstream control station.

e. Filling. - When conservation releases would result in drawdown below flood control levels as noted above, the pools would be filled to the indicated levels from the first available runoff in excess of required minimum flows for the fishery. Filling after the major flood season would be scheduled for accomplishment at a uniform rate from about 1 February to about 1 May, as flows in excess of minimum fishery requirements would permit.

f. Fishery. - Fishery enhancement would depend on provision of increased flows, at reduced temperatures, throughout the entire reach of stream from each damsite to the mouth. Studies by Federal and State fisheries agencies resulted in selection of criteria as to quantity and temperature of reservoir releases for the fishery. Such releases would be over and above releases for irrigation and water supply. The State of Oregon, acting through the Oregon State Water Resources Board under Oregon Revised Statutes 536.310, 536.340, and 536.410, has legal authority to insure that flows released for the fishery would remain in the stream for that purpose. (See Exhibit 2.) Changes in flows would have to be gradual, so as not to strand fish at times when flows would be reduced. It should be noted that, during regulation of floods when local inflows would result in rapid increase in flows downstream from the damsites, the releases would be reduced below the minimums shown below. Further study of the extent and effect of such short-term reductions would be desirable following project authorization. It also should be noted that project operation plans must be sufficiently flexible to permit desirable modifications in scheduled fishery releases, within the limits of storage provided therefor, if experience and further study indicates such action to be desirable for overall project benefits. Presently scheduled releases and release temperatures in the interest of the fishery are summarized for each project in the following subparagraphs and detailed in Appendix A.

(1) Lost Creek. - About 125,000 acre-feet would be withdrawn in an average year for fishery enhancement. Scheduled fishery releases and release temperatures would be as follows:

Dates	Minimum release, cubic feet per second	Maximum release temperature, degrees F.
1 May - 15 May	1,000	52
16 May - 31 May	1,300	52
1 June - 10 June	1,500	52
11 June - 30 June	1,800	45
1 July - 20 August	2,000	45
21 August - 7 September	1,500	52
8 September - 31 January	1,000	52
1 February - 30 April	700	52

The above July through September flows are 2 to 3 times natural minimum flows at Grants Pass.

(2) Elk Creek. - A minimum flow of 25 cubic feet per second would be maintained at all times downstream from the reservoir. Release temperatures would be regulated so as not to exceed 60 degrees F. except during infrequent periods of extreme low water. No storage would be provided specifically for fishery benefits and no releases would be made for that purpose. Because of the relatively high temperature of Elk Creek releases during the irrigation season, diversion would have to be made at the mouth of Elk Creek to prevent possible warming of the waters of Rogue River. This would be accomplished by specially designed diversion works which would be a part of the irrigation distribution system.

(3) Applegate. - About 30,000 acre-feet of storage would be used annually to maintain increased low-water flows for fishery enhancement. Flows at a temperature not to exceed 60 degrees F. would be provided as follows:

1 January - 28 February	120
1 March - 30 June	100
1 July - 31 October	120
1 November - 31 December	Natural flow, as regulated for flood control

These flows would represent an increase of from 200 to 900 percent over present minimums.

g. Irrigation. - Withdrawals for irrigation normally would begin in about June. For the Lost Creek-Elk Creek Reservoir combination, initial irrigation withdrawals would be made from Lost Creek so as to reduce the surface area exposed to heating. Irrigation withdrawals after early July normally would be from Elk Creek Reservoir. This would conserve a maximum of cold water in Lost Creek Reservoir for fishery enhancement purposes. In years of low supply, use would be made of stored water



VICTOR ATIYEH
GOVERNOR

Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-2892

December 18, 1981

Terence J. Connell
Colonel, Corps of Engineers
District Engineer
Portland District
PO Box 2946
Portland, Oregon 97208

I'm grateful to you and Bob Flanagan for meeting with us and discussing the operation of Lost Creek Dam. I thought it would facilitate further discussion if I delineated the Water Resources Department's objectives and intentions, and clarified Oregon Water Law as it relates to the uses of water stored by that facility.

The clear purpose and intent of Permits R-8140, R-8141, R-8142 and 44909 is to provide the protection afforded by state water rights for the project authorized by PL 87-874 and generally described in House Document 566. These permits, together with the minimum stream flows adopted by the Water Policy Review Board, are necessary to fulfill the assurances of the State of Oregon that all of the purposes of the project would be carried out.

HD 566 indicates that about 125,000 acre-feet of water would be withdrawn (released) annually from Lost Creek Reservoir in an average year for fishery enhancement. Permit R-8140 was issued to the Oregon State Game Commission and Fish Commission for storage for that purpose.

HD 566 also allocates a total of 88,000 acre-feet for irrigation purposes, undivided between Lost Creek and Elk Creek Reservoirs, and about 20,000 acre-feet for future domestic and municipal uses, being about one-half from each reservoir. It was decided that the Bureau of Reclamation would not contract for more than 35,000 acre-feet of water annually for irrigation purposes. Subsequently, Permit R-8142 was issued to the Water and Power Resources Service for storage of 45,000 acre-feet for irrigation and municipal purposes. This water can be released for use only after the intended water user has submitted a copy of the appropriate federal contract and obtained a permit.

Permits R-8140 and R-8142 total 170,000 acre-feet of storage. Lost Creek Reservoir has a total usable storage of 315,000 acre-feet. To protect the remaining 145,000 acre-feet, Permit R-8141 was issued jointly to the Oregon Department of Fish and Wildlife and the Water and Power Resources Service for in-reservoir recreation and fishery and out-of-reservoir fishery, municipal and irrigation purposes. The out-of-reservoir needs would be met by drafting, in low runoff water years, from carry-over from previous years. All the Water Resources Department staff agree as to the

Colonel Terence J. Connell
December 18, 1981
page two

intent of the language of the permits, the quantities of water involved, and the manner in which the projects are to be operated.

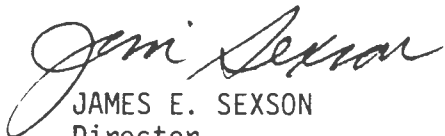
Permit 44909 was issued to Oregon Department of Fish and Wildlife for use of water released from storage for fisheries enhancement. While the application, which was an amended composite of two earlier applications, requested 225,000 acre-feet of storage release, the permit simply allows for release in agreement with the scheduled flows and temperatures set out in HD 566.

All permits are conditioned to share the water in years of short water supply in the same proportion that they share a full supply.

The releases of stored water for irrigation and municipal purposes are authorized and protected to the extent that contracts and permits are issued. One of the basic objectives of the project is to provide carry-over storage capability for the legal users of the authorized purposes. If this were not the case, HD 566 and subsequent permits would not require the proportional sharing of deficiencies in years of short water supply, and contracts for the full 315,000 acre-feet would be entered into. It appears obvious to me that releasing water in short years to benefit uncontracted users would defeat the carry-over concept and assure more frequent shortages.

I hope this clarifies the Water Resources Department's posture regarding use of Lost Creek Reservoir water. I look forward to continuing our discussion.

Sincerely,



JAMES E. SEXSON
Director
Water Resources Department

JES:lcj
cc: Donel Lane
Chris Wheeler

U. S. ARMY ENGINEER DISTRICT, PORTLAND
OFFICE OF THE DISTRICT ENGINEER
CORPS OF ENGINEERS
P. O. BOX 2946
PORTLAND, OREGON 97208

RECEIVED
DEC 8 1981
WATER RESOURCES DEPT
SALEM, OREGON

NPPDE

7 December 1981

Mr. James E. Sexson
Mr. Chris L. Wheeler
Water Resources Department
555 - 13th St., N.E.
Salem, OR 97310

Dear Jim and Chris:

I wish to follow up on our meeting on Wednesday and express my appreciation for your time in discussing the continued questions of the Rogue Valley projects.

The meeting was extremely helpful in that it clarified the one point regarding our engineering design and operational considerations for these projects. Following the innumerable meetings that we've had on these questions over the past many years, I am mystified as to why there wasn't greater understanding as to how the Corps designed and engineered the contracts, ~~(projects)~~ but nevertheless I feel that our meeting now has us on a common ground of understanding and we can better seek to work towards a comprehensive solution. I do believe that personnel in other agencies have understood these concepts over this period of time and that they will not be surprised at the idea of releasing additional storage water in drought years to provide for downstream needs and requirements.

I do plan to continue addressing these important questions both with the Water Resources Department and all interested parties in the weeks and months ahead in an effort to resolve what still appear to be differing ideas. I am sure that you realize that the additional water in storage to serve drought year requirements is beneficial to downstream needs both for fishery enhancement and for consumptive uses; however, at the same time I am well aware of the difficulties this may pose in consequence of State water allocations and permitting. In this case we'll just work harder to try to resolve the controversy.

Again, thank you very much for your consideration and time and I will stay in full touch with you on this matter. Warmest regards --

Thank you for the lengthy mtg on Wed — while the solution is still not readily apparent, I feel better now knowing you are aware of the situation.

Sincerely,

Terence

TERENCE J. CONNELL
Colonel, Corps of Engineers
District Engineer



James Septon

1133 SOUTH RIVERSIDE ~~XXXXXX~~ MEDFORD, OREGON 97501 #18

December 18, 1981

Colonel Terence J. Connell
 Department of the Army
 Portland District Corps of Engineers
 Post Office Box 2946
 Portland, Oregon 97208

RECEIVED
 DEC 28 1981
 WATER RESOURCES DEPT
 SALL OREGON

SUBJECT: Rogue Basin Water Monitoring

Dear Colonel Connell:

It has come to our attention that the Corps of Engineers intends reducing its Rogue Basin water monitoring budget from \$130,000.00 to \$46,000.00. This drastic budget cut will result in the discontinuance of seven flow monitoring stations and eleven temperature monitoring stations within the Basin that are presently operated and maintained by the U.S. Geological Survey.

Data from these monitoring stations is disseminated to many users groups by the U.S. Geological Survey in periodic publications and by our district to the media on a daily basis called the "water log". Representative user groups include: fish biologists, planners, engineers, anglers, river guides, flood and flow forecasters, irrigators, municipalities, and many others interested in water quality and stream flow characteristics. The demonstrated need of and popularity for this information is well documented and we question the decision to end these services.

As a minimum our district strongly feels that inflow and outflow stations at Applegate, Lost Creek, and the planned Elk Creek damsites, together with downstream flow stations at Dodge Bridge, Ray Gold, and Grants Pass, are necessary to adequately adjust river flows during winter flooding conditions and to satisfy irrigation and minimum flows during the summer months.

We are also concerned about the loss of temperature monitoring. As a minimum we feel that temperature monitoring on the Applegate River should continue until the present Oregon Department of Fish and Wildlife's present research project is completed, and that a sufficient number of temperature monitoring stations on the Rogue River be maintained that would allow temperature adjustments needed by the fish resource and as prescribed by the Oregon Department of Fish and Wildlife.

In 1980 our district publicly recognized the Corps of Engineers for its genuine concerns for the environment during the construction of the Rogue Basin Project. We fully discussed your proposed monitoring budget cuts at our district's monthly meeting on December 15, 1981, and feel that this action would be a deviation from your strong environmental concerns. We therefore urge you to reconsider your proposal and fully restore the monitoring budget or at least respond to our minimum

page 1 of 2.....

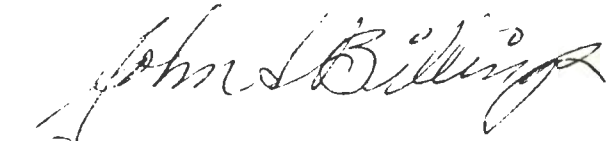
Colonel Terence J. Connell
Department of the Army
Portland District Corps of Engineers
December 18, 1981

-2-

recommendations on flow and temperature monitoring within the upper Rogue Basin.

Thank you.

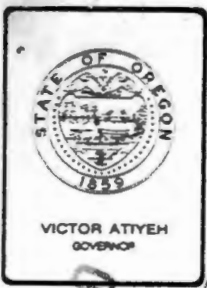
Sincerely,



John S. Billings
Chairman

cc: Ken Olson, Corps of Engineers
Dick Krause, U.S. Geological Survey
Bill Haight, Oregon Dept. of Fish and Wildlife
Jack Hoffbuhr, Water Policy Review Board
Gerry Latham, Rogue River Basin Assoc.
Dave Hendrix, Watermaster, Jackson County
Jim Sexton, State Water Resources Department
Tom Simmons, Rogue Fly Fishers
Charles Liles, St. Dept. of Ag.-Soil & Water Div.
Senator Mark Hatfield
Senator Robert Packwood

JSB



Department of Fish and Wildlife

OFFICE OF THE DIRECTOR

506 S.W. MILL STREET, P.O. BOX 3503, PORTLAND, OREGON 97208

37619

RECEIVED
DECO 1 1980
WATER RESOURCES DEPT
SALEM, OREGON

November 26, 1980

Honorable Mark O. Hatfield
United States Senate
463 Russell Senate Office Building
Washington, D. C. 20510

Dear Senator:

A letter was sent to you on October 8, 1980 from the Rogue Basin Flood Control and Water Resources Association in which they expressed their concern over a change they claimed we were proposing in the storage and flow pattern from the Lost Creek Reservoir. There is a misunderstanding here that I would like to clear up.

The impetus for the misunderstanding came from a discussion that our staff had with the U. S. Army Corps of Engineers in August during a tour of the river. Our research group on the river asked the Corps if they would make their computer available to evaluate some different operational strategies for Lost Creek Dam. We wanted to know what, if any, impact these new strategies may have on other water uses before we presented the strategies for public review. In no way were we asking that these strategies be implemented.

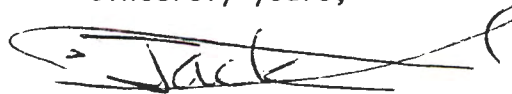
We are very much aware of the concerns expressed by the Rogue Basin Association and we expect other interest groups in the Rogue Basin may share their concerns. That is specifically why we asked for the modeling evaluation of our new thoughts on water strategies. If this evaluation indicates that these strategies would substantially increase the risk of not filling the reservoir or that excessive reservoir drawdown would be required, we would either drop the approach or make necessary changes before proposing them to the public for consideration.

I want to assure you and the people of the Rogue Basin that no new strategies of water management will be proposed for Congressional consideration without

Honorable Mark O. Hatfield
November 26, 1980
Page 2

first seeking complete understanding and agreement from the other users
on the Rogue River.

Sincerely yours,

A handwritten signature in black ink that reads "Jack" with a large, sweeping flourish extending to the right.

John R. Donaldson, PhD
Director

JRD:jkh

cc: Bill Jess, Rogue Basin Flood Control and Water Resources Association
Colonel Connell, USACE
Jim Sexton, Water Resources Department ✓
Representative Jim Weaver

Rogue Basin Flood Control & Water Resources Association

200 ERIE STREET
MEDFORD, OREGON 97501

October 8, 1980

RECEIVED

OCT 10 1980

WATER RESOURCES DEPT
SALEM, OREGON

Senator Mark O. Hatfield
Senate Office Building
Washington, D.C. 20510

Dear Senator Hatfield:

The Board of Directors of the Rogue Basin Flood Control & Water Resources Association is concerned about a proposed change in operating schedule of Lost Creek Lake.

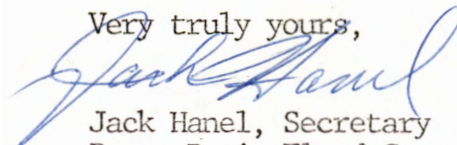
The Oregon Department of Fish & Wildlife is proposing that storage at Lost Creek be deferred from March-April period to May-June period of each year. The reason for the deferral is certain unspecified fishery benefits.

As seen by the Board, the disadvantages of such a scheme far outweighs any benefits to the fishery. The recognized disadvantages include: 1) Increased risk that the reservoir will not fill; 2) Any shortfall would be allocated to all uses, including municipal water; 3) Lake recreation, Lake fishery, sailboating, power boating, swimming, and general aesthetics, could be adversely affected; 4) Powerhead could be significantly lessened, with a resulting lowering of power production.

It is the view of the Board that such a major change in Lost Creek operation should be subject to Congressional review. Public Law 87-874 states that Project is to be located, constructed and operated to accomplish the benefits as set forth, and described in the report "appendixes". It is the Board's view that the adoption of the Oregon Department of Fish & Wildlife proposal would be a significant departure from the operation schedule authorized by the Congress.

We would appreciate your help in this matter.

Very truly yours,



Jack Hanel, Secretary
Rogue Basin Flood Control &
Water Resources Association

CJH:ms

cc: Dr. John Donaldson, Dir.
Ore. Dept. Fish & Wildlife

Col. Terence J. Connell, Dist. Engr.
Portland District

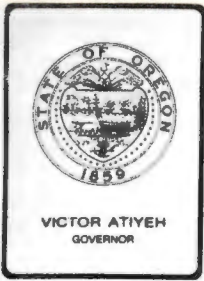
Sen. Bob Packwood

Hon. Jim Weaver

Don Lane, Chairman
Ore. Water Policy Review Board

Jim Sexton, Dir.
Ore. Dept. Water Resources

37618



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

August 14, 1980

Oregon Department of Fish & Wildlife
506 S.W. Mill St.
Portland, OR 97201

Attention: Folkert Menger

Dear Mr. Menger:

Enclosed are Water Resources Department checks numbered 4335 and 4336 in the amounts of \$5.00 and \$1,449.00 respectively, which represent the refunds due on overpayment of permit recording fees submitted with Applications No'd. R-37618 and 37619. The permits have been sent under separate cover. These applications were among those filed to cover the use of water under the Lost Creek Project in Jackson County for fishery purposes.

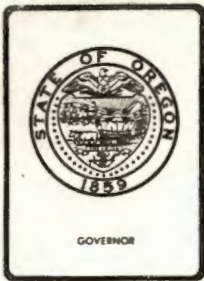
Will you please direct the checks to your bookkeeper for processing.

Sincerely,

Ralph H. Jackson, Supervisor
Application/Permit Section

RHJ
enclosures

COPY



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-2982

May 24, 1979

File 37619

John R. Donaldson, Director
Department of Fish and Wildlife
P.O. Box 3503
Portland, OR 97208

Dear Mr. Donaldson,

Your letter of April 24, 1979 setting forth the proposed experimental water releases from Lost Creek Dam has been attached to your Application No. 37619. A search of this file shows that no such request was submitted or approved by the Water Resources Department for 1978.

The Corp of Engineer may release water from Lost Creek Dam under its authority for power, navigation, and flood control purposes. However, once released it becomes part of the natural flow of the Rogue River subject to general appropriation by down stream users. This water cannot be protected from appropriation by others until your Application No. 37619 is approved by issuance of a permit. Action on this permit has been withheld pending a decision by the Corp of Engineers to determine the number of acre feet allocated to the various users.

Larry W. Jebousek, Administrator of the Water Rights Division (378-8454), is responsible for the applications pending for the storage and use of the waters of Lost Creek Reservoir.

Sincerely,

James E. Sexson, Director
Water Resources Department

JES:jt

cc: Bob Barbo, Salem Office, Bureau of Reclamation
George Holmes, Portland Office, Corp of Engineers

Water flow, temperature work restored

The U.S. Army Corps of Engineers has restored funds for water flow gauging and temperature monitoring on the Rogue and Applegate rivers.

Dick Kraus, hydrologist in charge of the Medford office of the U.S. Geological Survey, said Thursday the USGS district office in Portland told him money has been provided for operation of inflow gauging stations above both Lost Creek and Applegate dams and for temperature monitoring below the dams.

"That's the important part," Kraus said. "All of the water quality work except the turbidity studies and the temperature monitoring has been eliminated."

The USGS does gauging and monitoring for the Corps in connection with Rogue Basin dam projects.

Kraus had said in late November that by early 1982 Corps budget cutbacks essentially would eliminate all water quality work being done by the USGS for the Corps in the basin. He said 19 continuous water temperature stations and seven gauging stations would be axed, including three gauging stations above Applegate Dam and two above Lost Creek.

"It looks like we'll get about 16 temperature stations back," Kraus said Thursday. He said the Corps, because of budget restraints, has had to divert money from other activities.

Two stations for gauging flows into the proposed Elk Creek reservoir area are being cut out, Kraus said.

At the December meeting of the Greater Medford Chamber of Commerce Water Forum Kraus and Ken Olson, Corps project manager for Lost Creek and Applegate dams, suggested that Rogue Valley residents and groups write Corps and USGS officials stressing need for the water quality work.

"I definitely feel the letters have had an effect," Kraus said Thursday.

The temperature information is considered essential to fishery studies being done by the state Department of Fish and Wildlife, with funds provided by the Corps. The flow gauges give the Corps quicker information on rises of the reservoir than provided at the intake towers.

Data collected provide information for future operation of the dams and on agricultural, recreational and water needs of communities in the basin.

Medford Mail Tribune - Jan. 1, 1982

Records since 1920

Funds needed for flow gauge

Jack Hoffbuhr says he's seeking a combination of state, Jackson County and city of Medford money to restore operation of the lone streamflow gauging station on Bear Creek below Emigrant Lake.

Hoffbuhr, an Applegate rancher and member of the state Water Policy Review Board, said the meter has not been in use since the first of October when the state Water Resources Department cut off its \$2,110 per year share of operating funds.

The station, just upstream from the East Main Street bridge in Medford, most recently had been financed 50-50 by the WRD and the U.S. Geological Survey, with the state watermaster's office collecting the data.

The money sought by Hoffbuhr would restore the non-federal share.

Hoffbuhr says the metering has provided year-around flow records since 1920. Dick Kraus, hydrologist in charge of the Medford office of the USGS, said the station also operated between March 1915 and June 1920 but that no low flow records were kept.

"It's a real important station," Hoffbuhr said. "It's the only viable station on Bear Creek. Where you have a long-term history, it's just terrible to lose it."

Kraus said he believes that with the long history of the station the USGS will be "helpful" with money for maintaining it.

The stick gauge still is in place. Whenever the water height is checked, flow volume in cubic feet per second can be determined.



Department of Fish and Wildlife
OFFICE OF THE DIRECTOR

506 S.W. MILL STREET, P.O. BOX 3503, PORTLAND, OREGON 97208

RECEIVED

APR 27 1979

WATER RESOURCES DEPT
SALEM, OREGON

April 24, 1979

Mr. James E. Sexton
Director
Water Resources Board
555 13th Street NE
Salem, Oregon 97310

Dear Mr. Sexton:

The Oregon Department of Fish and Wildlife will again request an experimental water release schedule from Lost Creek Dam this summer. Our objective is to learn how to optimize fishery benefits; but we recognize the need to coordinate our request with those user groups interested in other beneficial uses of the Rogue River. I am taking this opportunity to inform you of our proposal so there will be sufficient lead time to resolve any problems you might foresee.

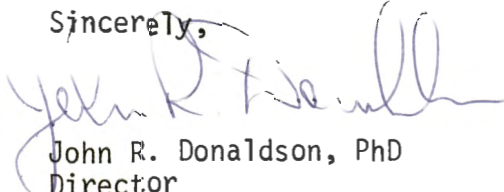
The experimental release schedule we are proposing this year is almost identical to that used last summer. Our plan is designed to measure the effects of different flows and temperatures of water released from Lost Creek Dam on downstream river temperatures and fish production. The findings from last year need to be tested since weather and tributary inflows are likely to differ between years and we would also like to test combinations of two flows and two temperatures (55 and 50°F). The test flows will be based on natural inflow to Lost Creek Lake which means that the actual release flows cannot be designated until late June just prior to initiating the experiment. One of the two flows tested will be higher than the designated minimum instream flow of 2,000 cfs and one will be lower, so the amount of stored water will not exceed that allocated for fishery enhancement. Our guess at this time is that the flows will be similar to the 2,400 and 1,800 cfs used last year.

The following is our proposed release schedule for 1978:

	<u>Period</u>	<u>Release</u>
July	3-16	50° at high flow
July	17-30	55° at high flow
July	31-August 1	Decrease to low flow
August	2-15	55° at low flow
August	16-29	50° at low flow

Steve Cramer of my staff (754-4431) is prepared to answer any questions you might have regarding our experimental design. Steve will also arrange a coordination meeting for interested user groups if you feel it is desirable.

Sincerely,



John R. Donaldson, PhD
Director

JRD:aj

STATE ENGINEER'S RECEIPT

STATE OF OREGON

WATER RESOURCES DEPT.

RECEIPT

Salem, Ore., 5-18-77

Appl.
Per. 37619
Trsf.

Received from Oreg. State Game & Fish Comm.

\$ 4013.00 Cash M.O. Check \$6272.00 by Oreg. Dept of Fish + Wildlife

Examination fees:

Recording fees:

Surface water \$ _____
Ground water \$ _____
Transfer \$ _____

\$ 4013.00
\$ _____
\$ _____
\$ _____
\$ _____

Miscellaneous fees:

Blueprinting
Copying
Certification \$ _____
Misc. Recording
Protest
Extension of time

Publication of notice \$ _____
Quadrangle account \$ _____
Adjudication fee \$ _____
Power license fee \$ _____
----- \$ _____
Hydroelectric license fee \$ _____
----- \$ _____
----- \$ _____

Water Well Construction:

----- Exam. \$ _____ Lic. \$ _____

Certificate Recording fees:

----- \$ _____

All other.

----- \$ _____

60617

By C. A. Hunt



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

November 5, 1979

Oregon Dep't. Fish & Wildlife
P.O. Box 3503
Portland, OR 97208

ATTN: Lou Fredd, Fish & Wildlife Biologist

Dear Lou:

In response to your request for information on the applications which have been received proposing the use of stored water from Lost Creek and/or Elk Creek Reservoirs or from direct flow of the Rogue River derived from storage, I am enclosing a summary listing of these applications.

No permits have been issued on any of these applications.

If you have further questions or need additional information, don't hesitate to ask.

Sincerely,

RALPH H. JACKSON
Supervisor
Application/Permit Section

RHJ:tld

Attachment

<u>Application No.</u>	<u>Applicant</u>	<u>Priority</u>	<u>Proposed Source</u>	<u>Use</u>	<u>Quantity</u>
R-37618	Ore. Dep't. Fish & Wildlife	5-7-62	Lost Cr. Reservoir	fish life benefit	125,000 /
37619	"" "" ""	5-7-62	Lost Cr. Reservoir	fish life & flow enhancement	225,000 /
R-41403	City of Medford	9-20-65	Lost Cr. & Elk Cr. Reservoirs	municipal	10,600 AF
41404	"" ""	9-20-65	Elk Cr. Rogue River & Reservoirs	municipal	62.0 cf
41604	City of Eagle Point	11-15-65	Rogue River, Lost Cr. & Elk Cr. Reservoirs	municipal	9.0 cf
R-41540	City of Gold Hill	10-19-65	Lost Cr. & Elk Cr. Reservoirs	municipal	100 AF
41541	"" ""	10-19-65	Elk Cr. , Rogue River and Reservoirs	municipal	1.0 cf
R-41652	Sams Valley Irrigation District	11-29-65	Lost Cr. & Elk Cr. Reservoirs	municipal	350 AF
41653	"" "" ""	11-29-65	Elk Cr. , Rogue River and Reservoirs	municipal	2.0 cf
R-41671	City of Grants Pass	12-2-65	Lost Cr. & Elk Cr. Reservoirs	municipal	6,700 AF
41672	"" ""	12-2-65	from 6,700 a.f. stored	municipal	25.0 cf
R-41828	City of Shady Cove	1-31-66	Lost Cr. & Elk Cr. Reservoirs	municipal	2,304 AF
41829	"" ""	1-31-66	Elk Cr., Rogue River and Reservoirs	municipal	9.7 cf
R-42018	State of Oregon, Fish & Game Commissions	3-22-66	Lost Cr. Reservoir	fish life benefit	100,000 A
R-42084	City of Eagle Point	4-11-66	Lost Cr. & Elk Cr. Reservoirs	municipal	2,700 A
48639	Oregon State Game Commission	8-31-71	Rogue River and Lost Cr. Reservoir	fish rearing (Cole Rivers Hatchery)	233 cf
R-56223	U.S. Bureau of Reclamation	7-18-77	Lost Cr. Reservoir	irrigation, water quality control, fishery enhancement & recreation	315,000 A
57218	Sams Valley Irrigation District	3-27-78	Rogue River with any deficiency to be made up from Lost Cr. Res.	irrigation of 15,600 acres	195 cf
59437	Josephine County Board of Commissioners	10-19-79	Lost Cr. Reservoir	municipal & industrial	6,000 A
59439	"" "" ""	10-19-79	Rogue River	municipal & industrial	18.56 c



STATE OF OREGON

INTEROFFICE MEMO

TO: File No. R-56223

DATE: January 4, 1978

FROM: Larry W. Jebousek *LWJ*

SUBJECT: Lost Creek Reservoir

I discussed the allocation of water stored in Lost Creek Reservoir with Bill Thomas of the U. S. Army Corps of Engineers (221-6470) on January 3, 1978. Mr. Thomas stated that the authorizing documentation combined Lost and Elk Creek Reservoir projects together and they simply divided the total by one-half to determine what was authorized for Lost Creek Reservoir.

— this is wrong!

Mr. Thomas stated that Lost Creek Reservoir was constructed to have 315,000 acre feet as a flood control pool not subject to annual release, 125,000 acre feet is for aquatic life and water quality as filed on by Fish and Wildlife and by Application No. R-37618, the 55,000 acre feet for the Bureau of Reclamation to contract out for irrigation, municipal and industrial uses.

The 100,000 acre feet filed on by Fish and Wildlife under Application No. R-42018 is a part of the 315,000 acre feet not subject to annual release. However, it appears from the information on Application No. 36719 submitted by Fish and Wildlife that they intend to release all of the 225,000 acre feet.

It further appears that the Bureau of Reclamation should not be filing on any instream use on their application No. R-56223. Mr. Thomas felt the Bureau should file for the municipal and industrial water for contracting purposes.

378-3066

May 12, 1977

File R-37618, 37619
R-42018, 48639

Department of Fish and Wildlife
506 SW Mill St.
Portland, OR 97402

ATTENTION: William Pitney

Dear Bill:

Applications No. R-37618 and R-42018 for storage of 100,000 and 125,000 acre feet of water in Lost Creek Reservoir for fish life development can be combined in one permit. The examination fee was paid, but the recording fee of \$2,249.00 is required before the permit can be issued.

Application No. 37619 for the secondary permit for use of the stored water lists a maximum release of 2,000 cubic feet of water per second. The recording fee for this application is \$4,013.00.

Application No. 48639 for a permit for 233 cubic feet of water per second from Rogue River and the reservoir for the Cole Rivers Hatchery requires fees of \$479.00. We also need a map locating the hatchery, the point of diversion from the river, and the point of return of water.

Sincerely,

Trevor Jones

TJ:lds



**GAME
COMMISSION**

RECEIVED
JUL 20 1971
STATE ENGINEER
SALEM, OREGON

OFFICE OF THE DIRECTOR

P.O. BOX 3503 • 1634 S.W. ALDER ST. • PORTLAND, OREGON • 97208 • Ph. 229-5551

TOM McCALL
GOVERNOR

July 19, 1971

COMMISSIONERS

JAMES W. WHITTAKER, Chairman
GEORGE L. HIBBARD, Vice Chairman
DAN CALLAGHAN, Member
J. PAT METKE, Member
FRANK A. MOORE, Member

JOHN W. McKEAN
State Game Director

Mr. Chris L. Wheeler
State Engineer
1178 Chemeketa Street, NE
Salem, Oregon 97310

Dear Mr. Wheeler:

Enclosed are completed application forms for the joint Game and Fish Commissions' water right applications to which you assigned file numbers R-37618 and 37619, both dated May 7, 1962 and R-42018, dated March 24, 1966. The filing fees were paid at the time of submission and were covered by your receipt nos. 33730, 33731, and 8929.

Much of the information contained on these forms was provided to us by the Portland District, Corps of Engineers. If however any of it causes you question, please refer that to us and we shall coordinate the needed clarifications with that office.

Mr. Pitney of this office has reviewed drafts of these applications with Mr. Trevor Jones of your staff. The remaining unresolved point is the fee to be charged for the appropriation permit, file No. 37619. When that determination has been made, please advise us so that with the Fish Commission we may make the proper payment. Our cost computations for file Nos. R-37618 and R-42018 are \$214.00 and \$189.00, respectively. If these amounts are not correct, please advise us of those errors, also.

Sincerely yours,

Leslie C. Zumwalt
Leslie C. Zumwalt
Acting Director

encs.

cc Fish Commission of Oregon
Portland District, Corps of Engineers

LOST CREEK RESERVOIR (ROGUE) STORAGE DRAFTS AND FLOW RELEASES

Computed from 1929 through 1961 records

(all figures in c.f.s.)

	c.f.s.	c.f.s.	c.f.s.	c.f.s.	c.f.s.
	Average minimum fish flow	Discharge for Stream flow	Storage draft for flow	Flow above fish minimum	Storage draft for fish
— 1930 —					
June	1,700	1929	490	229	261
July	2,000	1845	976	-	976
August	1,840	1713	907	-	907
September	1,120	1232	265	112	153
October	1,000	900	135	-	135
(total days - 150)					2432
					<u>x 60</u>
					145,920 acre feet of
— 1939 —					
July	2,000	2050	882	50	832
August	1,840	1915	884	75	809
September	1,120	1471	537	351	186
October	1,000	1358	442	358	84
November	1,000	1348	501	348	153
(total days - 150)					2044
					<u>x 60</u>
					122,640 acre feet
— 1940 —					
June	1,700	1996	580	296	284
July	2,000	2050	1084	50	1034
August	1,840	1915	1022	75	947
September	1,120	1163	267	43	224
October	1,000	1036	172	36	136
(total days - 150)					2625
					<u>x 60</u>
					157,500 acre feet

cfs

cfs

— 1949 —

NORMAL YEAR

July
August
September

2,000
1,840
1,120

2140
2077
1578

667
778
572

148
237
458

519
541
114
1174

860
70440 acre feet

R.M. 164

Raygold

Sav. Rapids

Mouth

S.W.R.B. programmed minimum natural flows.

835

1200

1200

935

Project Flood control season — Nov. 1 — Jan. 31,
Reservoir filling period — Feb. 1 — April 30.

Bill Pitney called Tom - said your ltr 2-11-71
reached his desk last Fri

Wants to know two things.

What is needed to complete appls?

Can Lake River hatchery use be added to 37618
as supply will come from release from Res?

1st question - A Since it is not this project I assume
we wait ask them for construction detail.

B Items 8 cannot be very detailed - "Pogue R channel
thru sections - - - -" be sufficient?

C Schedule of release doesn't really define rate of flow
which ordinarily is not required for stream water outflow
Except for fee computation problem item 2 better
answered in a.f. 2000 cfs means 100% of natural
flow appropriated by diurnal flow rights so I don't suppose
release will ever be this high (maybe a figure
to compute a large recording fee \$4,000

February 11, 1971

R-37616-17
R-37618-19

Mr. John McKean Director
State Game Commission
P. O. Box 3503
Portland, Oregon 97208

Dear John:

In 1962 the State Game Commission and the Fish Commission filed applications covering the fishery enhancement waters in Lost Creek and Applegate reservoirs. These applications have been held without action in my office pending completion of the final design and operation studies. The last significant correspondence with your office was my letter of February 25, 1965 to Phil, a copy of which is enclosed.

It would seem to me that if the Commission desires to obtain a water right covering storage releases for fishery benefits, the application covering Lost Creek should be completed so that I may consider issuing the permit. Applegate being further in the background, probably would not need to be completed at this time.

Incidentally, I think it would be appropriate for you to also file an application covering the water supply for the Cole River hatchery since it is now under construction.

Sincerely,

CHRIS L. WHEELER
State Engineer

CLW:eh

enclosure

June 29, 1967

Mr. O. L. Simons
9128 Walnut Street
Bellflower, California 90706

Dear Mr. Simons:

I assume you are referring to the Lost Creek project of the Corps of Engineers located in Township 33 South, Ranges 1 and 2 East, W.M., downstream from the confluence of Lost Creek and Rogue River.

The dam is proposed to be approximately 360 feet high and store 465,000 acre feet of water. The date of completion will depend upon appropriation from Congress.

Further information may be obtained by writing to the U. S. Army Engineer District, Corps of Engineers, 628 Pittock Block, Portland, Oregon.

Very truly yours,

CHRIS L. WHEELER
State Engineer

CLW:eh

41829

R 4208 4

RECEIVED

JUN 13 1967

STATE ENGINEER
SALEM, OREGONJune 7, 1967
9128 Walnut St
Bellflower, Calif
90506

Rogue River Damsite Dept.

I would like information regarding the new dam that is being put in between Shady Cove + Prospect. Has the developing started and if not when is it expected to?

Can you send me a map and information regarding this project. Thanking you in advance.

Yours truly
O. L. Simons

Mr. & Mrs. O.L. Simons
9128 Walnut Street
Bellflower, Calif. 90706

R-37616
37617
R-37618
37619

February 25, 1965

Mr. P. W. Schneider, Director
Oregon State Game Commission
P. O. Box 3503
Portland, Oregon 97208

Dear Phil,

I have hesitated to answer your letter of January 21 concerning the Rogue River Project and the Commission's applications for permits covering storage in Lost Creek and Applegate reservoirs and releases for benefit of fish life in the Rogue and Applegate Rivers because I had no concrete suggestions to make.

As far as I know at this time and assuming that the additional information is furnished as it becomes available, the applications would be approved by issuance of permits. A possibility does exist that someone could file an objection to your action which would be sustained, or that the federal plan for development would be amended so as to preclude this action. However, at present, I do not see any probability of this occurring.

Neither do I have any suggestions for you to take that would better reserve the proposed storage and releases for fishlife purposes. The only other suggestion that I could make would be for the Commission to ask the Water Resources Board for a withdrawal of the proposed storage. I believe this was discussed earlier and rejected by the Commission in favor of the applications.

I note that you have sent a similar letter to the State Water Resources Board and I believe they would be in a better position to answer your question as to whether or not the Board would modify their decision on Elk Creek. In view of the Corps'

Mr. Schneider

-2-

February 25, 1965

proposal and the location, as well as the operational schedule for other parts of the project, I doubt if this is a real problem.

In answer to your last question, since the use of stored waters requires the concurrence of the owner of the reservoir, I don't believe any action is required at this time to protect these flows, if any will be available as a result of the storage. When the plans have been completed and full decisions made as to use of any of this water, then the responsible agency could request the Water Board for a withdrawal in their favor, or after meeting all the criteria for a water right, they could file an application for a permit at that time.

I hope these comments will be of some assistance to you.

Sincerely,

CHRIS L. WHEELER
State Engineer

CLW:ks

Commissioners
Tallant Greenough, Coquille
Chairman
Joseph W. Smith, Klamath Falls
Vice-Chairman
John P. Amacher, Winchester
J. Pat Metke, Bend
Wayne E. Phillips, Baker



Mailing Address
P. O. Box 3503
Portland, Oregon 97208

STATE OF OREGON
OREGON STATE GAME COMMISSION
1634 S. W. ALDER STREET
PORTLAND

*Jim
I guess we can hold on
this.*

RECEIVED
JUL 9 1964
STATE ENGINEER
SALEM, OREGON

July 8, 1964

State Engineer
516 Public Service Building
Salem, Oregon 97310

Re: File Nos. R-37616, 37617,
R-37618, 37619

Dear Sir:

The applications referred to above which your office is holding were filed jointly by this department and the Fish Commission of Oregon in May 1962. They cover the amounts of water to be stored in Applegate and Lost Creek reservoirs and to be released from those reservoirs to maintain downstream flow volumes for the benefit of fish life, as reported in the U. S. Army Corps of Engineers report "Rogue River Basin Water Resources Development, December 1961".

The several interested state and federal agencies met in the spring of 1962 to determine how this water might be best protected for the purpose for which it was intended. Mr. Wheeler, then Assistant State Engineer, represented your office at this meeting. It was the consensus of the group that the state fishery agencies should submit these applications although the project, if authorized and constructed, would be federal.

The Portland District, Corps of Engineers, advises that the Rogue River project is now in design stage, but since the date this will be completed is dependent upon further appropriations, we do not know when the designs will be available for filing with you.

If you need further information which we may be able to supply, please advise us.

Sincerely yours,

P. W. SCHNEIDER
DIRECTOR

By *R. C. Holloway*

R. C. Holloway
Acting Director

cc: Fish Commission of Oregon

R-37616
37617
R-37618
37619

July 2, 1964

State of Oregon
Oregon State Game and Fish Comm.
P.O. Box 4136
Portland 8, Oregon

Gentlemen:

During a review of pending applications in this office, it is noted that we are withholding further action on your applications to construct Applegate Reservoir and Lost Creek Reservoir and to appropriate water therefrom (application Nos. R-37616, 37617, R-37618, and 37619) pending the receipt of plans and specifications for the construction of the proposed reservoirs. It is noted that our last correspondence was dated May 31, 1962.

It is requested that you advise us of the current status of these proposed projects and at what time we might expect to receive the plans and specifications for the construction of the reservoirs.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter M. Perry, Assistant

WMP:egv

R-37616
37617
R-37618
37619

May 31, 1962

State of Oregon
Oregon State Game & Fish Comm.
P.O. Box 4136
Portland 8, Oregon

Gentlemen:

This will acknowledge receipt of your four applications; one for a permit to store 30,000 acre feet of water in Applegate Reservoir from the Applegate River for fish life development, one for a permit to appropriate stored water from the Applegate Reservoir at a rate of 120 cubic feet of water per second, one for a permit to store 125,000 acre feet of water in Lost Creek Reservoir from the Rogue River for fish life development, and one for a permit to appropriate stored water from Lost Creek Reservoir at a maximum rate of 2,000 cubic feet of water per second for fish propagation, location maps to accompany each application, and fees in the sum of \$40 for which our receipts numbered 33726, 33729, 33730 and 33731 are enclosed.

The applications have been examined and filed under files numbered R-37616, 37617, R-37618 and 37619. The applications will be held without further action pending receipt of plans and specifications for the construction of the purposed reservoirs.

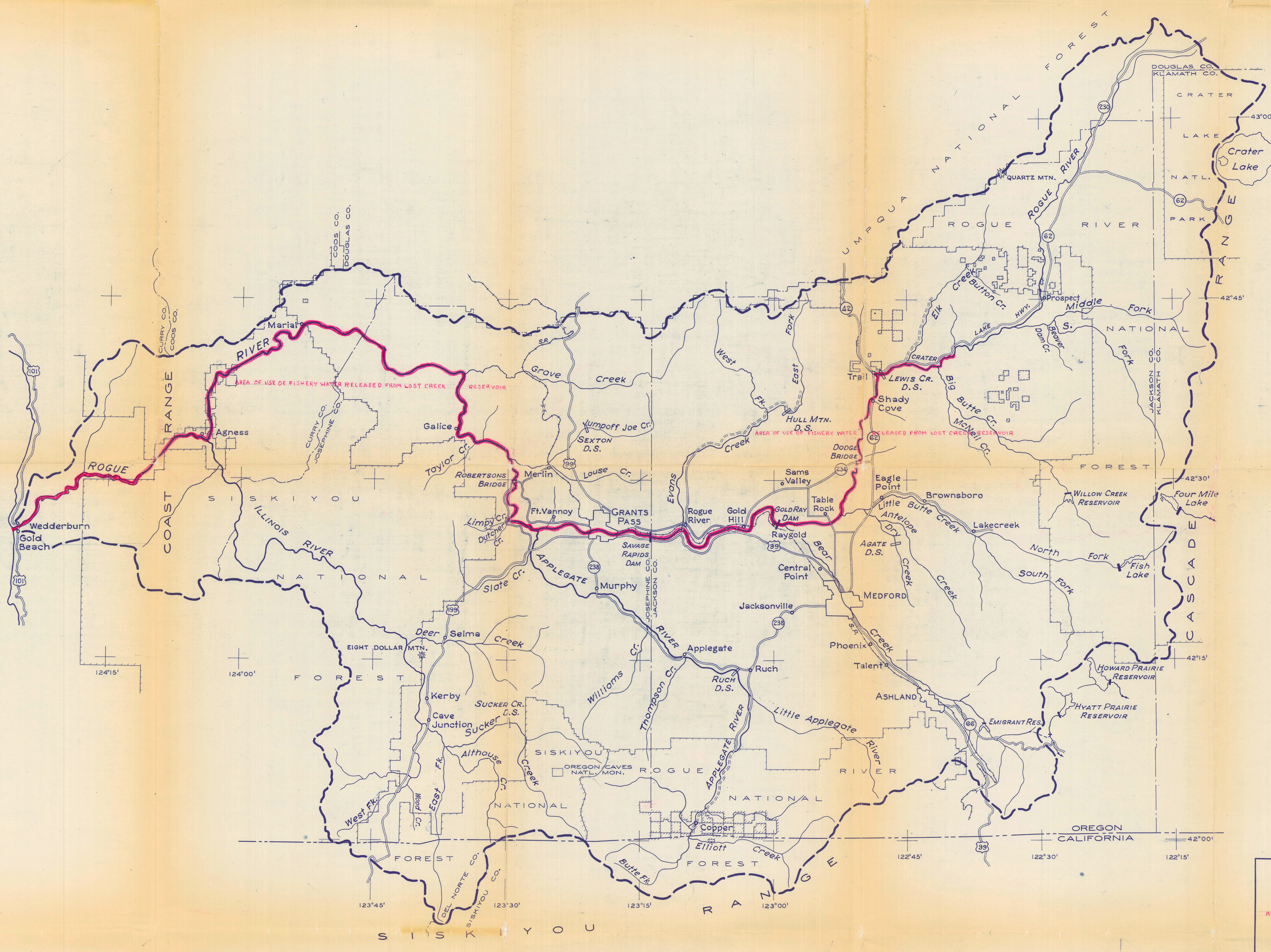
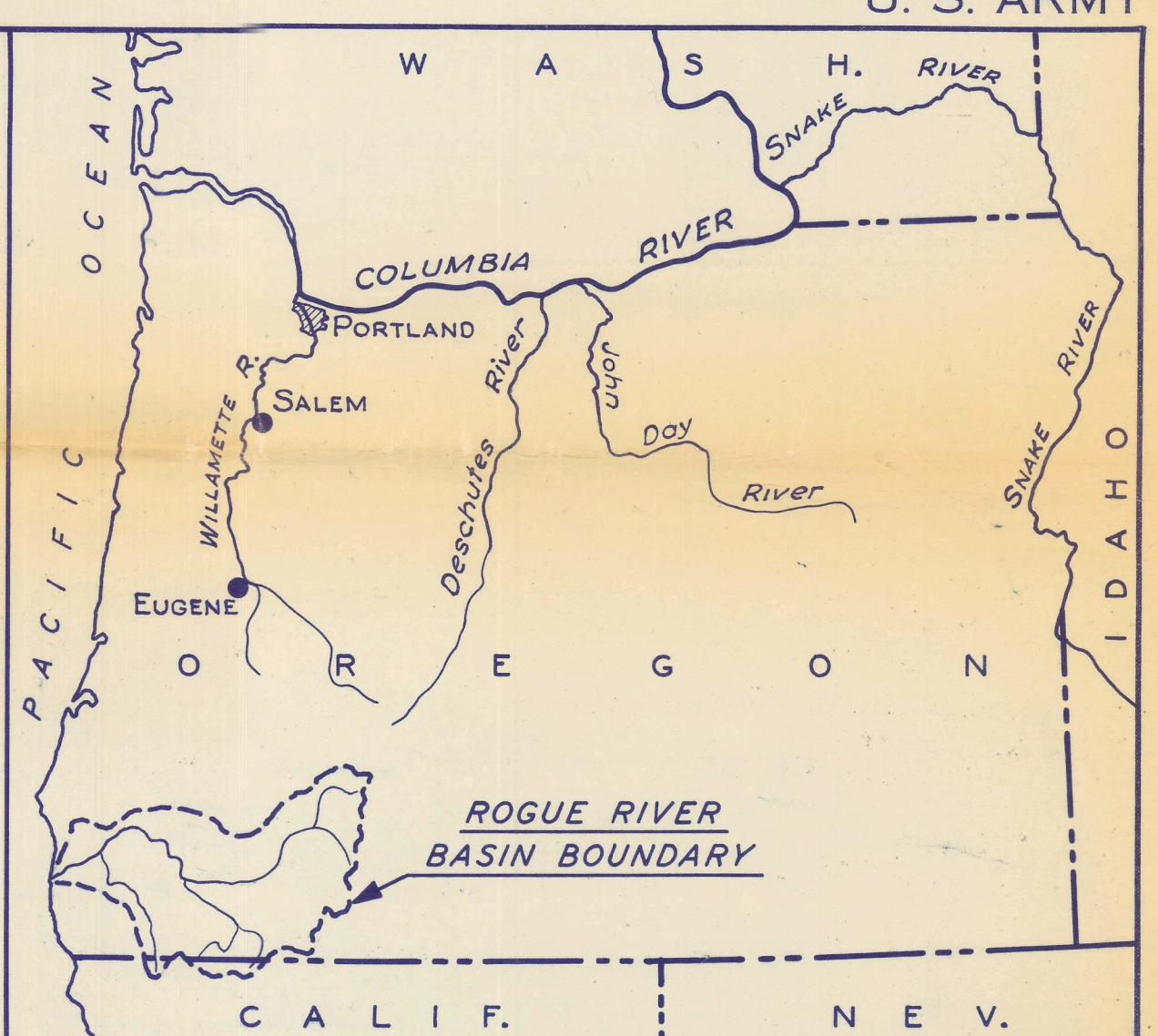
Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter H. Perry, Assistant

WNP/gcj
Enclosure

D
C
B
A



- LEGEND**
- PROPOSED RESERVOIRS
 - EXISTING RESERVOIRS
 - POSSIBLE FUTURE DAMSITES
 - 1955 FLOOD PLAIN

Application No. R-37618 **R 8140**
 Permit No. 37619 **44909**
 RECEIVED
 MAY 7 1962
 STATE ENGINEER
 SALEM, OREGON

ROGUE RIVER AND TRIBUTARIES
OREGON

BASIN MAP
AREA OF USE OF FISHERY WATER RELEASED FROM LOST CREEK RESERVOIR

SCALES AS SHOWN
U. S. ARMY ENGINEER DISTRICT, PORTLAND
CORPS OF ENGINEERS

PREPARED <i>W. J. Thomas</i> CHIEF, REPORTS SECTION	RECOMMENDED <i>L. A. Brown</i> CHIEF, ENGINEERING DIVISION
SUBMITTED <i>Paul C. Johnson</i> CHIEF, PLANNING BRANCH	APPROVED <i>Paul C. Johnson</i> COLONEL, CORPS OF ENGINEERS DISTRICT ENGINEER

DRAWN BY WHO
 TRACED BY
 CHECKED WHS

TRANSMITTED WITH REPORT
 DATED 1 DEC 61

RO-20-1/1

SCALE IN MILES
0 5 10

Sc134