

Name George R. & Eva L. Murphy

By

Address 13253 Caves HWY

Cave Junction, OR 97523

Date filed November 13, 1979

Priority Nov. 13, 1979

Action suspended until June

Return to applicant

Date of approval Feb. 8, 1982

CONSTRUCTION

Date for beginning FEB 8 - 1983

Date for completion OCT 1 - 1983

Extended to

Date for application of water OCT 1 - 1984

Extended to

PROSECUTION OF WORK

Form "A" filed March 3, 1983

Form "B" filed March 25, 1985

Form "C" filed March 25, 1985

FINAL PROOF

Blank mailed

Proof received

Date certificate issued

Application No. 59501

Permit No. 46163

Certificate No. _____

Stream Index, Page No. 15-79481

FEES PAID

Date	Amount	Receipt No.
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11-13-79	88 ⁰⁰	14989
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Cert. Fee

FEES REFUNDED

Date	Amount	Check No.
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2-10-82	21.00	4962
2-23-82		

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
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REMARKS

Copy of publication and map to Torn Khac April 8, 1981

CARD FOR A sent 7-19-1983

CARD FOR B. OCT 3 1983

Card for C OCT 17 1984

Form 100 MAR 13 1985

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☐ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3. Article Addressed to:

George R. and Eva L. Murphy
13253 Caves Highway
Cave Junction, OR 97523



4. Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number

56481

Always obtain signature of addressee or agent and
DATE DELIVERED.

5. Signature — Addressee

X *Eva L. Murphy*

6. Signature — Agent

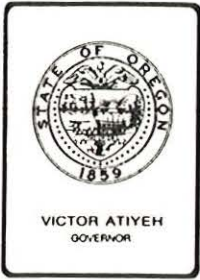
X

7. Date of Delivery

3-16

8. Addressee's Address (ONLY if requested and fee paid)

59501



Water Resources Department

MILL CREEK OFFICE PARK

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

March 13, 1985

PHONE

378-8508

George R. and Eva L. Murphy
13253 Caves Highway
Cave Junction, OR 97523

REFERENCE: File 59501

According to the terms of your Permit 46165 which was for 9.005 cubic feet per second of water from Sucker Creek, three unnamed streams and a spring for placer mining and domestic use for one family in Josephine County,

complete application of water was to have been made by October 1, 1984.

Complete application of water means the application of water to a beneficial use under the permit to the full extent intended. In the case of irrigation, it means beneficial irrigation of all the lands the permittee intends to cover under the terms of the permit. If the water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit and also in our postal card of October 17, 1984.

ORS 537.260 provides that: "Whenever the time within which any appropriation under a permit should have been perfected has expired and the owner of the permit fails or refuses within three months thereafter to submit to the Water Resources Director proof of completion of the appropriation as required by ORS 537.230 and 537.250, the Water Resources Director may, after 60 days notice by registered mail, order the cancellation of the permit..."

In accordance with the provisions of ORS 537.260, you are hereby notified that unless proof of beneficial use is received within 60 days from the date of this letter, the permit(s) may be canceled without further notice.

If for any reason, you are no longer interested in the project described by the permit, we would appreciate it if you would so advise. If the property involved has changed hands and any part of the project has been completed, you should immediately assign the permit to the new owner and advise us of his name and address. An assignment form will be furnished upon request.

Sincerely,

Bruce A. Estes, Supervisor
Survey/Certificate Section

COPY

FORM 690-10-100
CERTIFIED - RETURN RECEIPT REQUESTED

Application No. 59501

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIVED

NOV 13 1979

WATER RESOURCES DEPT
SALEM, OREGON

Application for Permit to Appropriate Surface Water

I, George R & EVA L MURPHY

(Name of Applicant)

of 13253 CAVES HWY

(Mailing Address)

CAVE JUNCTION

(City)

State of OREGON97523

(Zip Code)

Phone No. NONE

do hereby

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

1. The source of the proposed appropriation is SPRING, & 3 STREAMS &SUCKER CREEK, a tributary of E. F. ILLINOIS RIVERSEE REMARKS

2. The point of diversion is to be located ft. and ft.

(N. or S.)

(E. or W.)

from the corner of

(Public Land Survey Corner)

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

being within the S.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ ofSec. 12 Tp. 40S R. 7W, W. M., in the county of Josephine

(N. or S.)

(E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
<u>40S</u>	<u>7W</u>	<u>12</u>	<u>S.E. $\frac{1}{4}$ S.E. $\frac{1}{4}$</u>	<u>1 DOM FROM #1</u>
<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u>	<u>PLACER MINING</u>
				<u>FROM THE OTHER</u>
				<u>4 STATIONS</u>
				<u>See desc. of works</u>

4. The amount of water which the applicant intends to apply to beneficial use is SEE REMARKS
cubic feet per second.....
(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is Domestic & Placer Mining

6.

DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

SPRING GRAVITY FLOW TO HOUSE

*corrected
Sept 8-1981*
FOR MINING SUCKER CREEK MAIN SOURCE
TRIB. A, B, & C TO MINE - WE NEED THE ELEVATION
FOR GRAVITY FLOW

Information you asked for

STA 1- Domestic USE-

WE DO NOT INTEND ON USING ANY PUMPS, ETC. ONLY GRAVITY
FLOW THOUGH $\frac{3}{4}$ in PIPE FROM SPRING TO HOUSE

THE OTHER 4 ST. WE PLAN ON USING 12 IN PIPE TO GET
THE PRESURE FROM GRAVITY FLOW TO MINE WITH
WE ARE NOT PUMPING ANY WATER WE ARE
USING GRAVITY FLOW ONLY

MAY 22nd
Nov 25-80 - The 3 streams come from a higher elevation to produce more
pressure. we need this amount of water for gravity flow. 3rd
Streams & sucker creek will be used for mining. 4th
Dotted area showing mining AREA

If for domestic use state number of families to be supplied ONE

7. Construction work will begin on or before Dec 1-1980

8. Construction work will be completed on or before OCT 1-1982

9. The water will be completely applied to the proposed use on or before OCT-1-1982

Application No. 59501

Permit No.

Remarks: DIVERSION & AMOUNT OF WATER

STA#1-460'W, 1100'N. of S.E. Cor. 12 Dam, 0.05 CFS. SPRING
STA#2-800'W, 830'N. of S.E. Cor. 12 8 C.F.S. SUCKER CR.
STA#3-1040'W, 632'N. of S.E. Cor. 12 1 C.F.S. TRIB "A"
STA#4-1040'W, 203'N. of S.E. Cor. 12 1 C.F.S. TRIB "B"
STA#5-1040'W, 70'N. of S.E. Cor. 12 1 C.F.S. TRIB "C"

Eva S. Murphy
Signature of Applicant

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

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

~~May 12~~, ~~July 28~~, ~~1980~~

~~January 19, 1981~~
~~November 2, 1981~~

~~21st~~, ~~May~~

WITNESS my hand this day of 1980

~~11th~~, ~~March~~

James E. Sexson 1980

31st day of August, 1981
Water Resources Director

By *Wayne J. Overcash*
WAYNE J. OVERCASH

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
APR 29 1980

RECEIVED
MAY 29 1980

WATER RESOURCES DEPT
SALEM, OREGON

WATER RESOURCES DEPT
SALEM, OREGON

NOV 26 1980

RECEIVED

RECEIVED

SEP 17 1981

WATER RESOURCES DEPT
SALEM, OREGON

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

13th day of November, 1979, at 11:00 o'clock

A.M.

Application No. 59501

Permit No.

Permit No.....

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The 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.

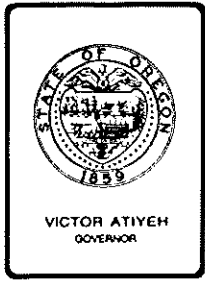
The priority date of this permit is

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.....

Water Resources Director



Water Resources Department
MILL CREEK OFFICE PARK

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

PHONE 378-8508

October 30, 1984

George R. and Eva L. Murphy
13253 Caves Hwy.
Cave Junction, OR 97523

REFERENCE: File 59501

As of this date we have not received notice that you have completed the construction or applied the water to beneficial use under Permit 46165.

Enclosed are Forms B and C for your use in reporting the progress dates of your water use project.

If you have any questions, please feel free to contact me.

Sincerely,

Stephen C. Brown
Senior Water Rights Examiner

SCB:jvm

enclosures

Permit Application Addendum:

DEQ LAND USE COMPATIBILITY REQUIREMENTS and STATEMENT WATER RESOURCES DEPT.

ORS 197.180 and DEQ's Coordination Program, as approved by LCDC, require that DEQ issued permits for new or expanded facilities not become effective until a Statement of Compatibility with applicable local land use plans and Statewide Planning Goals is provided to the DEQ from the responsible local planning authorities.

Applicant Complete

Applicant's Description of the Nature & Location of Proposed New or Expanded Facility. (Include appropriate legal description, planning reference information. / / Check if the site is inside an Urban Growth Boundary but outside city limits. Attach evidence of city concurrence with the county Statement if concurrence not given below.)

Station #1 300 gal holding tank for domestic use - 460 ft W, 1100 ft N, from S.E. corner sec. 12.
Station #3 1040 ft W, 632 N.E. from S.E. corner of sec. 12.
These 2 are developed and have been in use.
Station #2, 4, and 5 have been dropped.

Planning Authority Statement

COMPLETE ONE ONLY OF THE FOLLOWING:

Statement of Compatibility from Appropriate Land Use Authority. (An equivalent Statement may be provided in lieu of this form.)

_____ has reviewed the above referenced proposal for compatibility with [cross out one] (its LCDC Acknowledged Comprehensive Plan) (Statewide Planning Goals) and finds the proposal to be compatible.

Signed _____ Title _____ Date _____

/ / City concurrence inside Urban Growth Boundary:

Signed _____ Title _____ Date _____

Applicant's Alternative

Request to Proceed with Permit Processing pending Receipt of Compatibility Statement.

I hereby certify that I have applied to Water Resources Dept. on _____ for the necessary Statement of Compatibility. The local review action is expected to be complete by _____. I hereby request DEQ to proceed with processing my application during this time period in order to minimize delays. I understand that the requested permit when issued cannot become effective until the Compatibility Statement is filed with the Department.

Signed John Murphy, & Ewan Murphy

Date Oct 23, 1984

378-8508 or
~~1-800-452-7813~~

October 14, 1983

George and Eva Murphy
13253 Caves Highway
Cave Junction, OR 97523

REFERENCE: File 59501

I am enclosing a form for use in making application for an extension of time limits under Permit 46165.

The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. Therefore, you should fill out this application carefully and completely describing what has been accomplished.

The application must be submitted to this office with the statutory filing fee in the amount of \$100.00 for each permit.

Sincerely,



BRUCE A. ESTES, Supervisor
Survey/Certificate Section

BAE:wpc

690-10-115
6164A

RECEIVED

OCT 18 1983

WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources Dept.
Mill Creek Office Park
555 13th St. N.E.
Salem, Oregon 97310
Permit No. 46165

I would like an application for
extension of time to complete work
on my permit 46165. Please.

Thank you
Eva George Murphy

Eva Murphy
13253 Caves Hwy.
Cave Junction, Or. 97523
Oct 10, 1983

February 22, 1982

George R. and Eva L. Murphy
13253 Caves Highway
Cave Junction, OR 97523

59501

Dear Mr. & Mrs. Murphy:

46165

RECEIVED

NOV 26 1980

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
MAY 23 1980

WATER RESOURCES DEPT
SALEM, OREGON

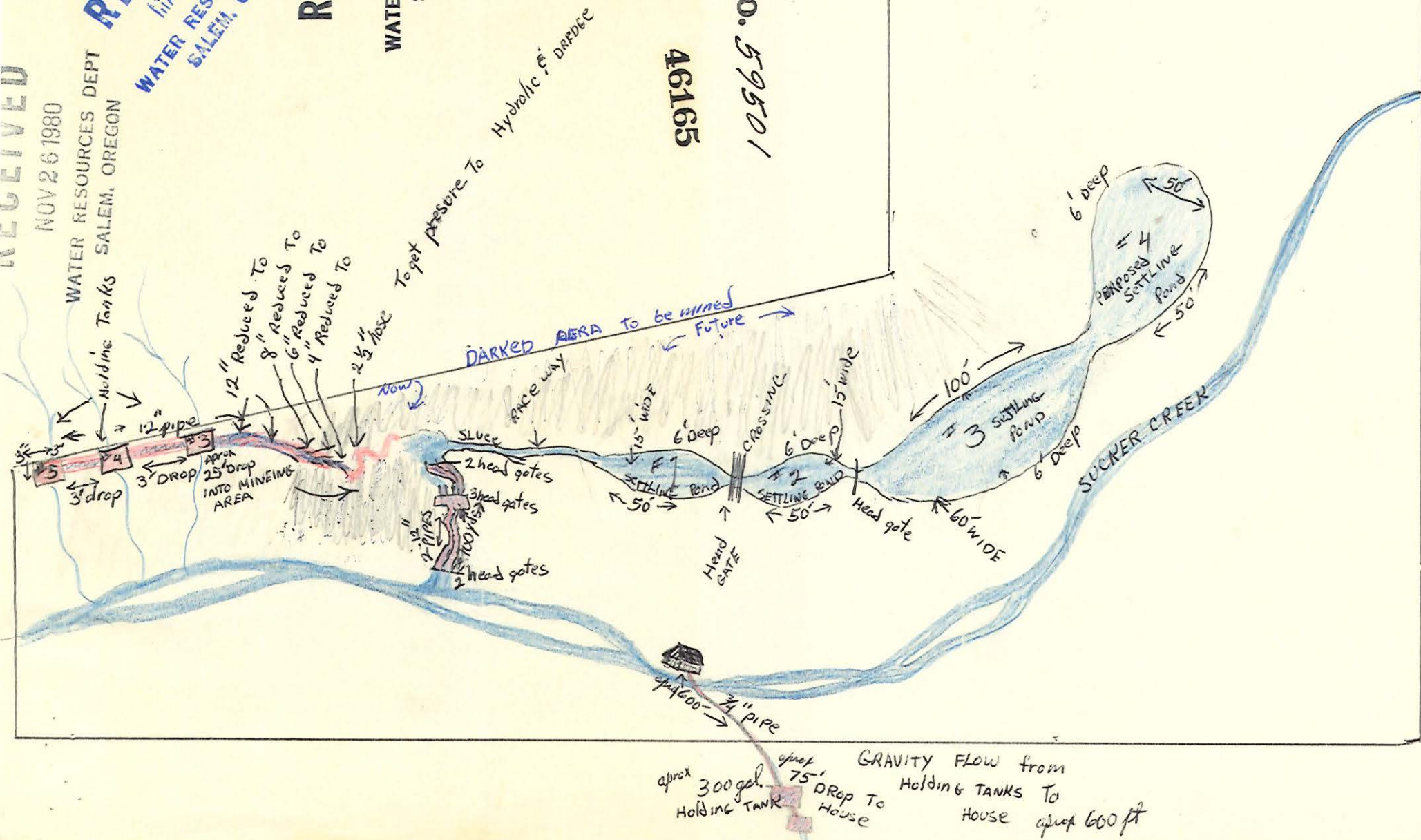
RECEIVED

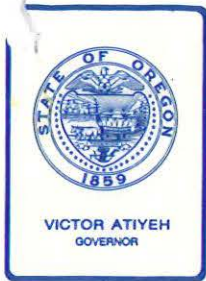
SEP 17 1981

WATER RESOURCES DEPT
SALEM, OREGON

46165

Application No. 59501
Permit No.





Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066 or
1-800-452-7813
(message line)

October 5, 1981

Duane D. Dahl, Chairman
Rogue River Coordination Board
331 NE "B" Street
Grants Pass, OR 97526

Dear Mr. Dahl:

You are hereby notified of application numbered 59501 filed by George R. and Eva L. Murphy. Copies of the application and the supporting map and drawing are enclosed.

Any person desiring to protest the approval of an application shall file a written protest in the office of the Director of the Water Resources Department at Salem, Oregon, within thirty days from the date of this notice.

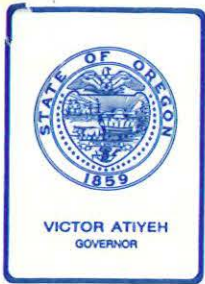
A copy of the Rules for Administrative Procedures in Contested Cases Before the Water Resources Director of the Water Resources Department of Oregon will be supplied free upon request.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:td

C O P Y



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066
or
1-800-452-7813
(message line)

October 1, 1981

George R. and Eva L. Murphy
13253 Caves Highway
Cave Junction, OR 97523

Dear Mr. and Mrs. Murphy:

REFERENCE: File 59501

We received your amended Application 59501 along with the map and enlarged drawing. The application now describes the purposed use of 0.005 cubic foot of water per second from the spring for domestic supplies for one family, 8.0 cfs of water from Sucker Creek for mining, and one cfs of water from each of three streams for mining.

As mentioned in my earlier correspondence, the capacity of the water system from the three streams does not appear to exceed one cfs of water. Therefore, the permit approving your application in regards to the use of water from these three streams will allow 0.33 cfs of water from each stream for the mining purposes.

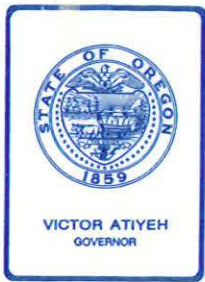
Your application now appears to be in satisfactory form to be considered for approval by the issuance of a permit. However, water will not be available for the mining use at any time there is insufficient water in Sucker Creek to satisfy all existing prior rights. Also, the decree of Circuit Court entered May 27, 1913, in the matter of the determination of the relative rights to the waters of Sucker Creek set the period that water may be used for mining purposes as commencing the first day of October of each year and ending the first day of July of each year and that such period constitutes the "mining season", during which water may be diverted and used for mining purposes.

Sincerely,

WAYNE J. OVERCASH
Water Rights Engineer

WJO:wpc
7114A

COPY



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066
or
1-800-452-7813
(message line)

August 31, 1981

George R. and Eva L. Murphy
13253 Caves Highway
Cave Junction, OR 97523

Dear Mr. and Mrs. Murphy:

REFERENCE: File 59501

Your Application 59501, the supporting map and the enlarged drawing showing the project has again been reviewed.

As mentioned in my earlier correspondence, the capacity of the system from the three streams would be considerably less than the 12 cubic feet of water per second requested. Based upon the information submitted in regards to the size of the pipeline for conveying water from the three streams, the capacity of the system may not exceed one cfs. If so, it will be necessary for you to amend the information presently supplied in the Remarks Section to state the amount of water to be appropriated from each stream, the total of which should not exceed the one cfs.

It will also be necessary for you to explain your statement in Item 6 indicating the three streams are to make up the deficiency in supply that may occur in Sucker Creek. Since the three streams are direct tributaries up-stream from your point of diversion from Sucker Creek, it doesn't seem reasonable to use the three streams as supplemental sources.

I am returning your application along with the map and enlarged drawing for correction and completion. The application is endorsed so that in order to retain its priority date it must be received in this office on or before November 2, 1981.

Sincerely,

WAYNE J. OVERCASH
Water Rights Engineer

WJOwpc
enclosures
6638A

COPY



STATE OF OREGON

INTEROFFICE MEMO

TO: James E. Sexson

DATE: May 18, 1981

FROM: Tom Kline

SUBJECT: Application 59501

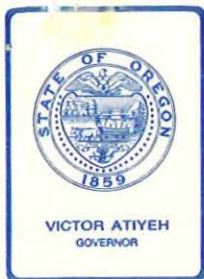
The Policy and Planning Division has reviewed the proposed use for mining in the Illinois Basin under application 59501 under the Board's statement of intent. There is an established minimum perennial streamflow at the mouth of the Illinois River.

The proposed use of water will be near mile 18 on Sucker Creek, an Illinois River tributary. Sucker Creek is commonly dry in a short reach near mile 2 from July through September. As discussed in the attached memo, the proposed use could represent a significant portion or all of the streamflow during low flow periods.

It is the conclusion of the staff, however, that the proposed use does not fall within the permits requiring Board review.

The period of greatest concern is during the late summer. Primarily because of the exercise of intervening prior rights, the stream reach involved is not now protected by the established minimum flow during the low flow season. Secondly, the mining season established in the decree is from October through June. Presuming that the permit will be issued consistent with the established season, no potential problems or adverse impacts on the minimum flow are anticipated.

cc: Ralph Jackson
Water Policy Review Board



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066 or
1-800-452-7813

November 18, 1980

George R. and Eva L. Murphy
13253 Caves Highway
Cave Junction, Oregon 97523

REFERENCE: File number 59501

Your returned application number 59501 and supporting map along with the enlarged drawing showing the project and settling ponds have been reviewed.

According to the drawing you submitted the use of the water from the three streams may be utilized for a separate operation of your mining project instead of a supplemental supply. Also, the capacity of the system from the three streams would be considerably less than the 12 cubic feet of water per second requested as noted in the remarks section of your application. Therefore, we will need additional information and if water will be used from the streams for a different purpose than the waters from Suckor Creek.

The map supporting your application should be further completed by noting the area to be mined. This may be accomplished by drawing a boundary line and designating this area as the mining area. I apologize for not bringing this to your attention in previous correspondence.

I am returning your application, the map, and the enlarged drawing showing the project for completion. This application is endorsed so that in order to retain its priority date it must be received in this office on or before January 19, 1980.

Sincerely,

WAYNE J. OVERCASH
Water Rights Engineer

WJO:wp
enclosures
2927A

COPY

George & Eva Murphy
13253 Canes Hwy
Cane Junction, Oregon 97522
File number 59501

Water Resources Department
Mill Creek Office Park
555 13th Street N.E.
Salem, Oregon 97310
May 27-1980
Dear Mr. Overcash,

RECEIVED
MAY 29 1980
WATER RESOURCES DEPT
SALEM, OREGON

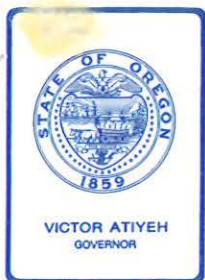
I didn't receive the map I sent you of the proposed project. So I made another one. I think it is a much better one. Also I tried to get every detail I could think of even ones you didn't request.

We contacted State Department of Environmental Quality April 8, 1980. Their office helped me make out the application. I paid them for the permit. So we are all squared away with them.

- # 1 + Domestic use - approx 300 gal. cement holding tank, $\frac{3}{4}$ in pipe approx 600 ft to house with a 75 ft drop.
- # 2 + 2-12 inch pipes approx 100 yds from creek to mine, with 6 ft drop
- # 3 + 3 ft by 3 ft holding tank, 3 ft drop, 12 in pipe to #4 + same as 3 into #5 + 12 inch pipe reduced to 8 in pipe, reduced to 6 in pipe, reduced to 4 in pipe, reduced to $2\frac{1}{2}$ in hose. approx 25 ft drop to get gravity flow. This will give us enough pressure to hydrolic & dredge with.

I Hope This is all you wanted. I tried my best to do exactly as you requested.

Sincerely
George & Eva Murphy



Water Resources Department
MILL CREEK OFFICE PARK

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

PHONE (503) 378-3066

May 21, 1980

George R. & Eva L. Murphy
13253 Caves Hwy.
Cave Junction, OR 97523

REFERENCE: File number 59501

Dear Mr & Mrs. Murphy:

We received your application number 59501 and map along with the copy of your application for a water pollution control facilities permit and the sketch of your purposed project.

We will need additional information on your purposed water system and the facilities to utilize the water to justify the amount of 8 cubic foot of water per second requested. The head of water on the pipelines, length the pipe lines and difference in elevation from the point of intake to the point of use should be noted. Also, the brief description of the facilities to utilize the water for placer mining purposes must be noted. This information may be supplied under item #6 on of your application or on a separate sheet.

As mentioned in my previous correspondence, the drawing showing the settling ponds must it also include the sizes of the ponds. Therefore, it will be necessary for you to include on the sketch you submitted the deminisions of each pond in regards to the surface area and depth.

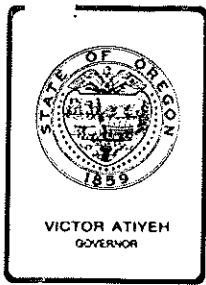
I am returning your application and the sketch showing the settling ponds for completion. The application is endorsed so that in order to retain its date of priority it must be received in this office on or before July 28, 1980

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:avs
0983A

COPY



Water Resources Department
MILL CREEK OFFICE PARK

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

PHONE 378-3066

File Number 59501

March 11, 1980

George R. & Eva L. Murphy
13253 Caves HWY
Cave Junction, OR 97523

Your application number 59501 describing the proposed use of 0.005 cubic foot of water per second from the spring for domestic supplies for one family and 8 cubic feet of water per second from Sucker Creek with any deficiency in supply in Sucker Creek to be made up by diversion of water from tributaries "A", "B", and "C" with a maximum of 4 cubic feet of water per second from each tributary for Placer mining, together with the map, description of spring sheet, and notice of location of Placer claim, has been reviewed.

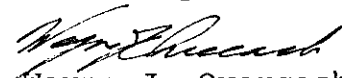
It will be necessary for you to supply additional information in item number 6 by giving the dimensions of the proposed supply ditches or pipelines and size and type of pump to be used for the domestic system and the mining system.

The permit approving your application will contain a stipulation requiring that adequate treatment facilities be installed to remove the sediment before returning the water to the stream. Therefore, it will also be necessary for you to submit a drawing showing location and sizes of the settling ponds to be installed to remove the sediment.

You also need to contact the State Department of Environmental Quality to determine their requirements.

I am returning your application and map for completion. The application is endorsed so that it must be received in this office on or before May 12, 1980 to retain its priority date.

Sincerely,


Wayne J. Overcash
Water Rights Engineer

WJO:jmt

Enclosures

December 31, 1979

GEORGE R & EVA L MURPHY
13253 CAVES HWY
CAVE JUNCTION OR 97523

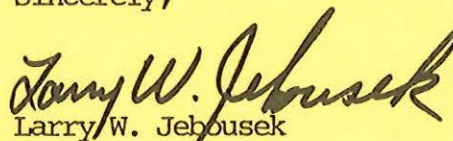
Dear Mr. & Mrs. Murphy:

We have received your application for domestic & placer mining along with the supporting data and fees. Our receipt number 14989 is enclosed. Your application has been filed and assigned number 59501 .

Because of the many applications which have been filed in recent months, we are temporarily behind in our processing. Your application will be examined in detail as soon as possible. We will contact you if we need any additional information.

The permit approving your application will be issued without further correspondence if no additional information is required. Thank you for your patience.

Sincerely,


Larry W. Jebousek
Administrator
Water Rights Division

LJW: jfv
Enclosure



STATE OF OREGON

INTEROFFICE MEMO

TO: 59501

DATE: 11-23-79

FROM: Don Buell

SUBJECT: Call from Lincoln Pearson, Fish & Wildlife.

They are concerned with the source and quantity of water involved in this application. We should check with him before issuing permit.

Don

DEPARTMENT FISH AND
WILDLIFE

MEMORANDUM

DATE: December 14, 1979
TO: Linc Pearson
FROM: Bill Haight
SUBJECT: Water Right application File 59501.

File 59501 George R. & Eva Murphy, 13253 Caves Hwy. Cave Junction, Oregon 97523, 20.005 cfs, springs, stream, & Sucker Creek, trib. E. F. Illinois River, domestic and placer mining.

I have notified Merlin Hough of DEQ about this application, but I suggest, as a safeguard, we ask the Department of Water Resources to stipulate that Murphy obtain a DEQ discharge permit and conform with DEQ water quality standards. You might emphasize to Jebousek that the gold mining craze has a great potential for causing water quality problems in the Rogue Basin, and we need their support in handling it.

cc: Clyde Smith

Bill Haight

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WATER RESOURCES DEPT
SALEM, OREGON

Application No. _____

DESCRIPTION OF SPRING

1. Is spring on property of applicant? No
2. If not, give name and address of legal owner. B. L. M.
3. Have you secured consent of owner to appropriate water from this spring and for construction of pipeline or other works? HAS been USED OVER 50yrs For this pu
4. If you do not have such consent, do you expect to secure right of way through condemnation? _____
5. What is the maximum flow from spring? 5 gal minute
(Gallons per minute or 0.005 ft
cubic feet per second)
- What is the minimum flow? 0
- Is flow measured or estimated? estimated
6. Does the stream flowing from spring form a well defined natural channel? No
7. Does the water flow off the lands on which it first arises? No
8. Give the name of the stream or other body of water into which water from the spring flows. SUCKER CREEK
9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing. approx 400 ft
10. Remarks _____

Application No. 59501
Permit No. _____

Eva S. Murphy
Signature of Applicant

3. copies of all exhibits to;

U. of Environmental Quality
P. Box 1760
Salem, Oregon 97207

APPLICATION FOR A WATER POLLUTION CONTROL
FACILITIES PERMIT
WPCF - N

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REFERENCE INFORMATION

<u>EVA & GEORGE MURPHY</u> Official Name of Applicant (Owner)		Plant location if different from official address: <u>SAME</u>	
<u>SAME</u> Division Identification		<u>KOS - 47 W - 12 -</u>	
<u>13253 CAVES HWY</u> Address		<u>SEE ATTACHED MAP</u>	
<u>CAVE JCT, OR 97523</u> City, State, Zip Code			
<u>SAME</u> Responsible Official		<u>Alternate Responsible Official</u>	
<u>OWNERS</u> Title		<u>NONE</u> Title	
<u>SAME</u> Address or Location		<u>NONE</u> Address or Location	
<u>Phone</u>		<u>Phone</u>	
Name of Public Waters into which wastes will be discharged: <u>SUCKER CREEK</u>			

GENERAL DESCRIPTION

Briefly summarize the proposal for waste treatment and disposal.
GOLD MINING (PLACER & DREDGING), THREE SETTLING PONDS,
SEE ATTACHED DIAGRAM, ALL WASTEWATER TO SETTLING PONDS,
DISPOSAL VIA SEEPAGE, NO DIRECT DISCHARGE

REQUIRED EXHIBIT

As EXHIBIT A, attach three (3) copies of a Preliminary Engineering Report which fully describes the proposed project using written discussion, maps, diagrams, and any other necessary materials. Specific items contained in the report should include:

1. A complete description of the proposal
2. The location of the project
3. Future expansion potential and plans
4. Schedule for development (specific)
5. Quantity and quality of each waste stream
6. Schematic diagrams of Industrial Processes
7. Disposal method for Sanitary and Solid wastes
8. Alternatives for treatment and control
9. Size and Character of the proposed receiving stream.
10. Map showing location of project and all adjacent water sources

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Signature of Owner (or legally authorized representative)

Eva Murphy

Title

owners

Date

4/8/80

Application No. 59501

Permit No. 2-WQ-1



Relocation Amendment

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Hand-drawn map of the Gold-Bay #1 area in Josephine Co. The map shows a grid of sections with labels R-7, R-6, and T-7. A winding road is labeled 'Sackett St.' and '12'. A creek is labeled 'Creek'. A rectangular area is outlined and labeled 'Gold-Bay #1'. A scale bar indicates '4 in. = 1 mile'. The map is oriented with North at the top, indicated by a compass rose.

Beginning at a point 660 feet West and ##### feet from the
S.E. corner of the ##### quarter of Section 12, Township 40
South and Range 7 West, Willamette Meridian; thence from said begin-
North or South East or West
ning point 1320 ft. North to the N.E. corner, thence 552.8 ft.

- If claim is on surveyed land and it is practicable to use a legal

Sec. 23.—"A mining claim * * * may equal but shall not exceed 1500 feet in length along the vein or lode; but no location of a claim shall be made until the discovery of the vein or lode within the limits of the claim located. No claim shall extend more than 300 feet on each side of the middle of the vein at the surface * * *. The end lines of each claim shall be parallel to each other."

description of the claim or claims located by reference to some natural object or permanent monument as will identify the claim."

Sec. 35.—"Placer claims, including all forms of deposit excepting veins and lodes or other rock in place shall be subject to entry and possession . . . upon similar proceedings as are provided for vein and lode claims. . . . no such location shall include more than twenty acres for each individual claimant."

517.042. "Legal subdivision" defined for ORS 517.042 to 517.052. As used in ORS 517.042 to 517.052, unless the context requires otherwise, "legal subdivision" means a subdivision of a state survey or of a United States survey which has been extended over the geographic area to be described.

517.044. Location of claims upon placer deposits; posting notice. Any individual, a citizen of the United States, or one who has declared his intention to become such, who discovers a placer deposit of minerals upon the unappropriated public domain of the United States within this state, which minerals are subject to location under the mineral and

is taken by legal subdivisions, no other reference in the notice of claim required to be posted and filed under the provisions of ORS 517.042 to 517.052 than to the legal subdivisions shall be required and the boundaries of a claim so located and described need not be staked or monumented. The description by legal subdivisions in the notice required to be filed under ORS 517.052 shall be deemed the equivalent of marking the surface boundaries of the claim.

517.652. Recording copy of location notice; fee. The individual locating a placer deposit shall, within 60 days from the posting of the location notice upon the claim, file for record with the recorder of conveyances, if there is one, otherwise with the clerk of the county where the claim is situated, a copy of the notice posted by him upon the claim.

posting in a conspicuous place thereon a notice of such discovery and location. The notice shall contain:

- (1) The name of the claim.
- (2) The name of the individual or individuals locating the claim.
- (3) The date of the location of the claim.
- (4) The number of feet or acres claimed, together with a description, either by legal subdivisions, if practicable, or if not, then by reference to some natural object or permanent monument in the vicinity of the claim, which will identify the claim located.

517.046. Marking boundaries of claim or locating by legal subdivisions. (1) Unless the claim for placer deposit referred to in ORS 517.044 is located by legal subdivisions, the surface boundaries of the claim must be marked so that the same may be readily traced. Such boundaries shall be marked within 30 days after the posting of the notice described in ORS 517.044 by substantial posts or other monuments of the same size, materials and dimensions as in the case of quartz claims.* The boundaries of the claim shall be marked at each corner or angle, and, when any side or end of the claim extends for more than 1,320 feet without a corner or angle, then at intervals of not less than 1,320 feet along such side or end.

(2) Where the claim for placer deposit referred to in ORS 517.044

ORS 517.030 for recording location notices of mineral-bearing rock claims (\$1.00). The recorder or clerk, as the case may be, shall immediately record the location notice in a book kept by him for that purpose.

517.060. Correcting defective notice of location. If at any time an individual who has located a mining claim within the meaning of ORS 517.019 or 517.044, or his assigns, apprehends that the original notice of location of the mining claim was defective, erroneous, or that the requirements of the law had not been complied with before the filing of the notice, such locator or assigns may post and file for record in the manner now provided by law, an amended notice of the location which shall relate back to the date of the original location; provided, that the posting and filing of the amended notice of location shall not interfere with the existing rights of others at the time of posting the amended notice.

* Oregon Revised Statutes 517.010(2) provides that the boundaries of vein or lode claims shall be marked by six substantial posts, projecting not less than three feet above the surface of the ground, and not less than four inches square or in diameter, or by substantial mounds of stone, or earth and stone, at least two feet in height, to wit: one such post or mound of rock at each corner and at the center ends of such claims.

STATE OF OREGON,

County of

ss.

I,, and

I,*, and

I,*, and I,*, being first duly sworn, depose and say:

I am a citizen of the United States or have declared my intention to become such; I am the locator of the placer claim described on the reverse hereof; that within sixty days after the date of the posting on said placer claim of the notice of location set forth on the reverse hereof, I caused to be excavated an open cut upon said claim, removing from the cut not less than five cubic yards of material and, if practicable, exposing thereby the placer deposit described by such location notice; I personally excavated or caused to be excavated the material from said cut as stated above and have knowledge of the facts relating thereto.

Subscribed and sworn to before me this day of, 19

(SEAL)

Notary Public for Oregon

My commission expires

* Strike if not required.

Mining Location

PLACER

(FORM No. 597)

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

Gold Bar #1

Name of Claim.

George R. Murphy

Eva Murphy

13253 CAVES HWY
CAVE JUNCTION - COR. 97523 Locators.

AFTER RECORDING RETURN TO

SPACE RESERVED

FOR

RECORDER'S USE

STATE OF OREGON,

County of

I certify that the within instrument was received for record on, 19, at o'clock M., and recorded in book on page or as file/reel number, Record of of said County.

Witness my hand and seal of County affixed.

Recording Officer.

By Deputy.

JOSEPHINE COUNTY

IN THE MATTER OF THE WITHDRAWAL)
 FROM FURTHER APPROPRIATION OF THE)
 WATERS OF SUCKER AND ALTHOUSE)
 CREEKS AND THEIR TRIBUTARIES)

O R D E R

It now appearing from information before the State Engineer that the waters of Sucker and Althouse Creeks, both tributary to the East Fork of the Illinois River, and all their tributaries are at this time over appropriated, and

That there is no water in these streams or their tributaries available for appropriation over and above that quantity required for existing rights, and

That any rights granted to appropriate additional water from these streams or their tributaries will conflict with existing rights, and

That any new appropriations attempted will result only in the creation of an administrative problem which should be avoided,

IT IS THEREFORE ORDERED that no further permits to appropriate water from these streams or their tributaries, for any purpose other than domestic use, or for power or mining developments where such may be made without actual consumption of water or injury to existing rights, be granted.

Dated at Salem, Oregon, this 27th day of July, 1934.

Chas E Stricklin
 CHAS. E. STRICKLIN,
 State Engineer.

Application No.
Permit No.

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MAY 29 1980

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SALEM, OREGON

To caves Hwy. #46

Rd. # 3905



Yeager

7

creek

12

unnamed Trib. A

Gold Bar Mine

- Sta. #1 - 460' W., 1100' N. of S.E. Cor. 12
- Sta. #2 - 800' W., 830' N. of S.E. Cor. 12
- Sta. #3 - 1040' W., 632' N. of S.E. Cor. 12
- Sta. #4 - 1040' W., 203' N. of S.E. Cor. 12
- Sta. #5 - 1040' W., 70' N. of S.E. Cor. 12

Trib. B

Trib. C

creek

unnamed

13

unnamed

creek

Cohen

18

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WATER RESOURCES DEPT
SALEM, OREGON

Application No. 59501
Permit No. 46165

Station locations	⊙
Claim Boundary	
Scale	= 4 inches = 1 mile
Township	40 South
Range	6 & 7 W.W.M.
Josephine County	

R-7 R-6

Mule creek