

Name Claire O. Brown
 By
 Address Williams, Oregon Box 91
97544

Date filed December 14, 1961
 Priority December 14, 1961
 Action suspended until October 1, 1962

Returned to applicant
 Date of approval June 26, 1962

CONSTRUCTION

Date for beginning June 26, 1963
 Date for completion October 1, 1964
 Extended to
 Date for application of water October 1, 1965
 Extended to

PROSECUTION OF WORK

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

FINAL PROOF

Blank mailed JUNE 16 1967
 Proof received
 Date certificate issued JUNE 30 1967

Application No. 37255
 Permit No. 27926
 Certificate No. 34042

Stream Index, Page No. 15-16 L
 See Also R-37254

FEES PAID

Date 12/14/61 Amount \$1500 Receipt No. 32046
 B. P. Fee
6-29-67 \$1 Cert. Fee 4810

FEES REFUNDED

Date Amount Check No.

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

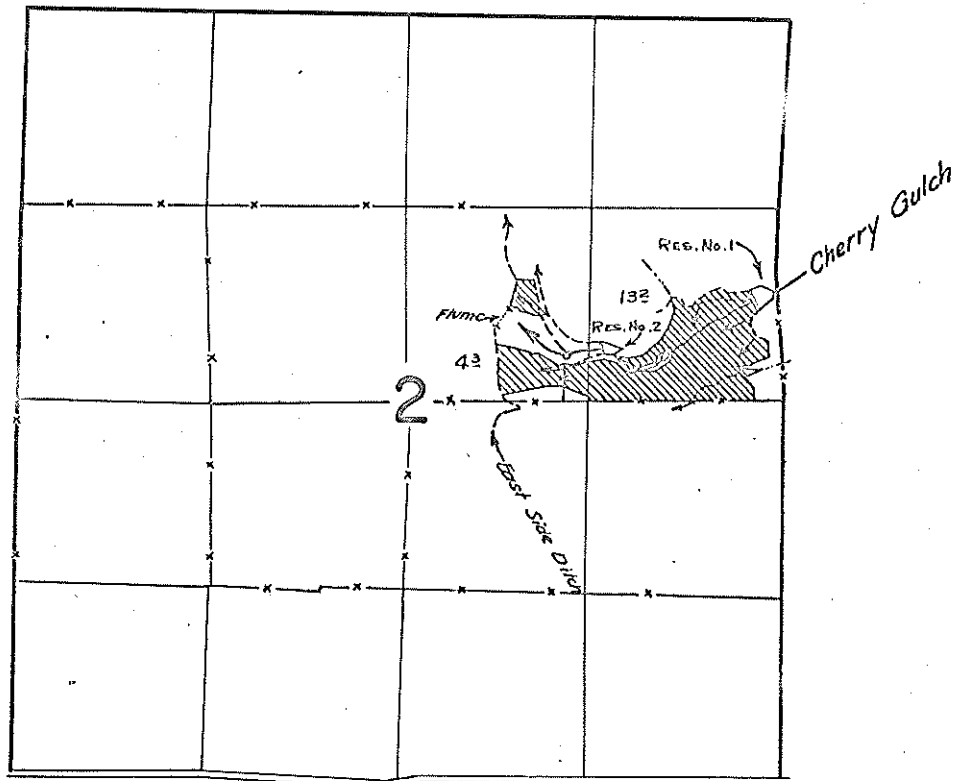
REMARKS

0.38 c.f.s. from Cherry Gulch and two reservoirs (Williams Creek) for irrigation
and supplemental irrigation of 30 acres.
(S.W.R.B. Policy Statement.)

W.R.I.S.

Assembled 7-25-85 by [Signature]
 Entered _____ by _____
 Verified _____ by _____

T.39S.R.5 W.W.M.



FINAL PROOF SURVEY
UNDER

R-37254 R-2864
Application No. 37255... Permit No. 27926...
IN NAME OF

CLAIRE O. BROWN

Surveyed July 1, 1965, by *R. J. Jackson*

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Claire O. Brown

(Name of applicant)

of Williams

(Mailing address)

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 Brown Res. #1 and #2 and Cherry Gulch

(Name of stream)

, a tributary of Williams Creek

2. The amount of water which the applicant intends to apply to beneficial use is 375

cubic feet per second.

(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 supplemental irrigation and new

(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located #1 660 ft. N and #2 1150 ft. West from the East $\frac{1}{4}$

Section 2

corner of

Section 2

(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 SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 2, Tp. 39 S

(Give smallest legal subdivision)

(N. or S.)

R. 5 W., W. M., in the county of Josephine

(E. or W.)

5. The pipeline and gravity flow

(Main ditch, canal or pipe line)

to be pipeline 1200 feet

(Miles or feet)

in length, terminating in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 2, Tp. 39 S

(Smallest legal subdivision)

(N. or S.)

R. 5 W., W. M., the proposed location being shown throughout on the accompanying map.

(E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam _____ feet, length on top _____ feet, length at bottom _____

feet; material to be used and character of construction _____

(Loose rock, concrete, masonry,

rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate _____

(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description Carter gasoline portable pump

(Size and type of pump)

2 horsepower

(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.

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

Application No. 37255

Permit No.

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 14th day of December, 1961, at 1:00 o'clock P. M.

Returned to applicant:

Approved:

Recorded in book No. 3 of
Permits on page

STATE ENGINEER

Drainage Basin No. 15 page 162

Fees 15.00

Municipal or Domestic Supply—

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

(b) If for domestic use state number of families to be supplied

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$.....1500.....
12. Construction work will begin on or beforeSee remarks in reservoir permit.....
13. Construction work will be completed on or beforeNov. 30, 1961..... Pond 1 Oct. 7, 61
Pond 11 Nov. 60
14. The water will be completely applied to the proposed use on or beforeHas been used the
past years.

.....
Claire O Brown
(Signature of applicant)

Remarks:

Water has been used every year
in the SE 1/4 of the NE 1/4 since 1918 to
my knowledge.
Certificate called for 55 inches
out of Cherry gulch issued to Rush L
Moffitt 1965. One permit nailed to
tree at present sight of Res No 1.
One permit nailed to tree on East line of
SW 1/4 of NE 1/4 of Sec 2 about 135 feet be
low Res II in Cherry gulch.

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 completion
correction

In order to retain its priority, this application must be returned to the State Engineer, with correc-
tions on or before
March 2 1962
March 12

WITNESS my hand this
2nd day of
12th January 1962
January

RECEIVED
FEB 13 1962
STATE ENGINEER
SALEM, OREGON
RECEIVED
JAN - 5 1962
STATE ENGINEER
SALEM, OREGON

LEWIS A. STANLEY

STATE ENGINEER

By
Walter N. Perry

ASSISTANT

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 97310

R-37254
REFER TO
FILE NO. 37255

June 16, 1967

Claire O. Brown
Box 91
Williams, Oregon 97544

Dear Madam:

Enclosed is the final proof in connection with the
incomplete water right represented by your permit No. R-2864

and 27926. The data contained in the proof, which is based on
an inspection and survey of your project made by a representa-
tive of this department, defines the extent to which your water
right has been completed within the terms of your permit. The
proof should be dated and signed by you and returned to this
office.

Upon receipt of the proof, properly executed and
accompanied by the statutory recording fee of \$1, a certificate
of water right will be issued confirming the right thereunder
and, after being recorded in the county records, will be for-
warded to you.

Very truly yours,

Chris L. Wheeler

CHRIS L. WHEELER
State Engineer

Form 117

Enclosure

pju

Please submit \$1.00 for each permit.

June 2, 1967

Mr. Claire O. Brown
Box 91
Williams, Oregon

Dear Mr. Brown:

On May 20, 1967 engineers from this office performed an inspection of your two reservoirs located in Section 2, Township 39 S., Range 5 W., W.M. in connection with final proof survey for issuance of water right certificate. The original permit called for 6.2 acre feet in reservoir number 1 and 4.5 acre feet in reservoir number 2. Two small dam data sheets filed as supporting data for the issuance of permits indicate that the distance between the top of the dam and the bottom of the spillway at reservoir number 1 is to be 3 feet. On reservoir number 2, this distance between the top of the dam and the bottom of the spillway at its upper end is to be 3 feet. Our inspectors report that this distance on reservoir number 1 is 1.4 feet and on reservoir number 2, it is 2.2 feet. This results in more storage than that called for under the permits.

The purpose of this letter is to advise you that you are in violation of the terms of your permit by impounding more water than called for in those permits, and we are requesting that you remedy the situation by reducing the water depth to that called for under the terms of the permit.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
A. M. Petska
Engineer

AMP:sh

cc: Mr. Robert B. Steimer
Watermaster District #14

STATE OF OREGON
STATE ENGINEER
516 PUBLIC SERVICE BUILDING
SALEM 10

REFER TO R-37254
FILE NO. 37255

July 30, 1962

Claire O. Brown
Box 91
Williams, Oregon

Gentlemen:

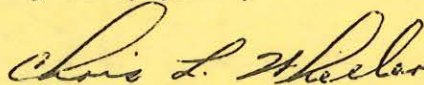
This will acknowledge receipt of your notice to the effect that complete application of water has been made under permit No. 27926 and R-2864.

Pursuant to your report and in line with the general practice of this office, a survey will be made at a later date.

After this survey, proof may be made and certificate issued covering the actual use of water as found by the engineer. In case of irrigation, any lands described in the permit that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the permit which you hold will be valid evidence of the water right in question so long as you continue to use the water.

Very truly yours,



CHRIS L. WHEELER
State Engineer

Form 128

mks

R-37254
37255

July 12, 1962

Claire O. Brown

Williams, Oregon

and 27926 with blueprints.

s. R-37254 and 37255, Permit Nos. R-2864,

R-37254
37255

May 21, 1962

Mr. Claire O. Brown
Williams,
Oregon

Dear Mr. Brown:

This will acknowledge receipt of your applications numbered R-37254 and 37255 and two small dam descriptions.

Your applications have been re-examined and they now appear to be in satisfactory form to be considered for approval by issuance of permits with the next group.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Walter N. Perry, Assistant

April 27, 1962

Mr. Robert B. Steimer
Watermaster, District #14
Court House Annex
Grants Pass, Oregon

Dear Mr. Steimer:

In response to your letter of April 25, 1962, I am returning application number R-37254 and the small dam description forms to you for correction. The application has been endorsed so that in order to retain its date of priority it must be returned to this office on or before June 27, 1962.

Mr. Brown has submitted conflicting information and at this time I am not sure just what his reservoir project consists of. Mr. Petska has advised that the dams constructed in connection with the reservoirs are less than 10 feet in height above the bed of the natural stream channel measured on the axis of the dam. I believe that an accurate description of the existing structures in the application and the small dam description forms will give sufficient information so that the applications may be considered for approval by issuance of permits.

Mr. Petska advised that you are short of small dam description forms. We are therefore enclosing a new supply.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Walter N. Perry, Assistant

WNP:mgb
Enclosures

R-37254
37255

March 30, 1962

Mr. Claire O. Brown
Williams,
Oregon

Dear Mr. Brown:

This will acknowledge receipt of your letter dated March 28, 1962, requesting additional time in which to complete your application file number R-37254.

If you wish to retain the present priority date of your application, you must return the application to this office on or before April 5, 1962. The application may then be re-endorsed for an additional period of time so that you might complete the application.

If you do not return your application within the time limits endorsed thereon, your application will lose its date of priority but may be reinstated with a new date of priority on the date it is again received in this office.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Walter N. Perry, Assistant

WNP:mgb

37255

February 15, 1962

Mr. Claire O. Brown
Williams,
Oregon

Dear Mr. Brown:

This will acknowledge receipt of your returned application number 37255 in its original form. Its priority date of December 14, 1961 will apply to the superseding copy of the application which was submitted at an earlier date.

Further action on application number 37255 will be withheld pending completion of your reservoir application number R-37254.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Walter N. Perry, Assistant

WNP:mgb

R-37254
37255

February 5, 1962

Mr. Claire O. Brown
Williams,
Oregon

Dear Mr. Brown:

This will acknowledge receipt of your returned application numbered R-37254 and a superseding copy of application numbered 37255 with the accompanying tracing.

Upon re-examination of your reservoir application and the small dam description accompanying it, it is noted that the heights of the dams, as shown in the applications, do not agree with the heights shown in the small dam description form. If the dams are to be 16 feet and 13 feet high respectively, it will be necessary that plans and specifications for the construction of the dams be prepared by a professional engineer licensed to practice in this state. We are therefore returning application number R-37254 and the accompanying small dam descriptions for correction so that they are in agreement and for plans and specifications for the construction of the dams, the application being endorsed so that in order to retain its date of priority it must be returned to this office on or before April 5, 1962.

It is noted that you did not return the original copy of application number 37255. If you wish the application to retain its priority date of December 14, 1961, the original copy must be returned to this office on or before March 12, 1962.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Walter N. Perry, Assistant

WNP:mgb
Enclosures

January 12, 1962

Mr. Claire O. Brown
Williams,
Oregon

Dear Mr. Brown:

This will acknowledge receipt of your returned applications numbered R-37254 and 37255, the accompanying tracing and small dam description.

Your applications have been re-examined and it is noted that the information shown in item 3 of the reservoir application does not agree with the information shown in item 10. Item 3 indicates that you intend to store 7.0 acre feet of water in Reservoir No. 1 while item 10 indicates that the capacity of Reservoir No. 1 is 3.75 acre feet. Item 3 indicates that you wish to store 6.0 acre feet of water in Reservoir No. 2 while item 10 indicates that the capacity of Reservoir No. 2 is 2.0 acre feet.

It is noted that the information shown in the small dam description does not agree with the information shown on the application. The application and the small dam description must be in agreement in all respects. Upon re-examination of application number 37255, it is noted that you indicate that diversion point number 1 is 660.0 feet north from the E $\frac{1}{4}$ corner of Section 2. The map accompanying your application shows the point of diversion to be north and approximately 100 feet west from the government survey corner. Diversion point number 2 is said to be 1150 feet west and 375 feet north from the E $\frac{1}{4}$ corner of Section 2. The location on the map shows the diversion point to be 1150 feet west and approximately 100 feet north from the government survey corner. The application and the map must be in agreement. It is also noted that you have made entries in the remarks section of the application with a ball-point pen. Since your application must be photographed for the permanent records of this office and ball-point writing does not allow us to make a satisfactory copy, we have typed a superseding copy of your application which is enclosed for your examination being accompanied by the original which has been endorsed so that in order retain its date of priority it must be returned to this office on or before March 12, 1962.

Mr. Claire O. Brown

- 2 -

January 12, 1962

If you agree that the data entered on the superseding copy of your application is correct, please sign the application in the space provided immediately following item 14 and return both copies to this office.

We are returning your reservoir application, the small dam descriptions and application map for correction, application number R-37254 being endorsed so that in order to retain its date of priority it must be returned to this office on or before March 12, 1962.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By

Walter N. Perry, Assistant

WNP:mgb
Enclosures

January 2, 1962

Mr. Claire O. Brown
Williams,
Oregon

Dear Mr. Brown:

This will acknowledge receipt of two applications; one for a permit to construct Brown Reservoir No. 1 and No. 2 for the storage of 13.0 acre feet of water from Cherry Gulch for supplemental irrigation purposes and one for a permit to appropriate an unspecified amount of water from Brown Reservoir No. 1 and No. 2 for the irrigation of 30.0 acres, a tracing and fees in the sum of \$30.00 for which our receipts numbered 32046 and 32047 are enclosed.

The applications have been examined and filed in the order of their acknowledgement under files numbered R-37254 and 37255. Before the reservoir application may be considered for approval by issuance of a permit, it will be necessary that you complete item 10 and submit a small dam description describing each of the reservoirs. Forms for this purpose are enclosed.

The secondary application must be completed by indicating in item 2 the quantity of water which you intend to appropriate. It appears that this is the 13.0 acre feet of water which you propose to store within the two reservoirs.

The records of this office indicate that a right now exists as evidenced by certificate number 9494 for the appropriation of 0.2 cubic foot of water per second from Cherry Gulch and Rattlesnake Gulch under a priority date of January 23, 1928 for the irrigation of 15.0 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.0 acre in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, Township 39 South, Range 5 West.

Another right evidenced by certificate number 28673 authorizes the appropriation of water from the East Fork of Williams Creek for the irrigation of 13.6 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, Township 39 South, Range 5 West. The area covered by this right has been indicated with red pencil on your application map.

Mr. Claire O. Brown

- 2 -

January 2, 1962

It appears that it is your intention to irrigate 14.0 acres of new land under application number 37255; 5.0 acres being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 9.0 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2; the land to receive supplemental irrigation being 15.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.0 acre in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2. It appears that this information should be made a part of the application in item 8.

If you so desire you may specify a definite quantity of water to be appropriated from the direct flow of Cherry Gulch for the irrigation of the land which does not now enjoy a right for its irrigation; stored water only being applied to the land already enjoying a right for its irrigation. If this is done, item 1 should be amended to read Brown Reservoirs numbered 1 and 2 and Cherry Gulch.

Your applications numbered R-37254, 37255 and the map are returned for completion, the applications being endorsed so that in order to retain their date of priority they must be returned to this office on or before March 2, 1962.

Very truly yours,

LEWIS A. STANLEY
State Engineer

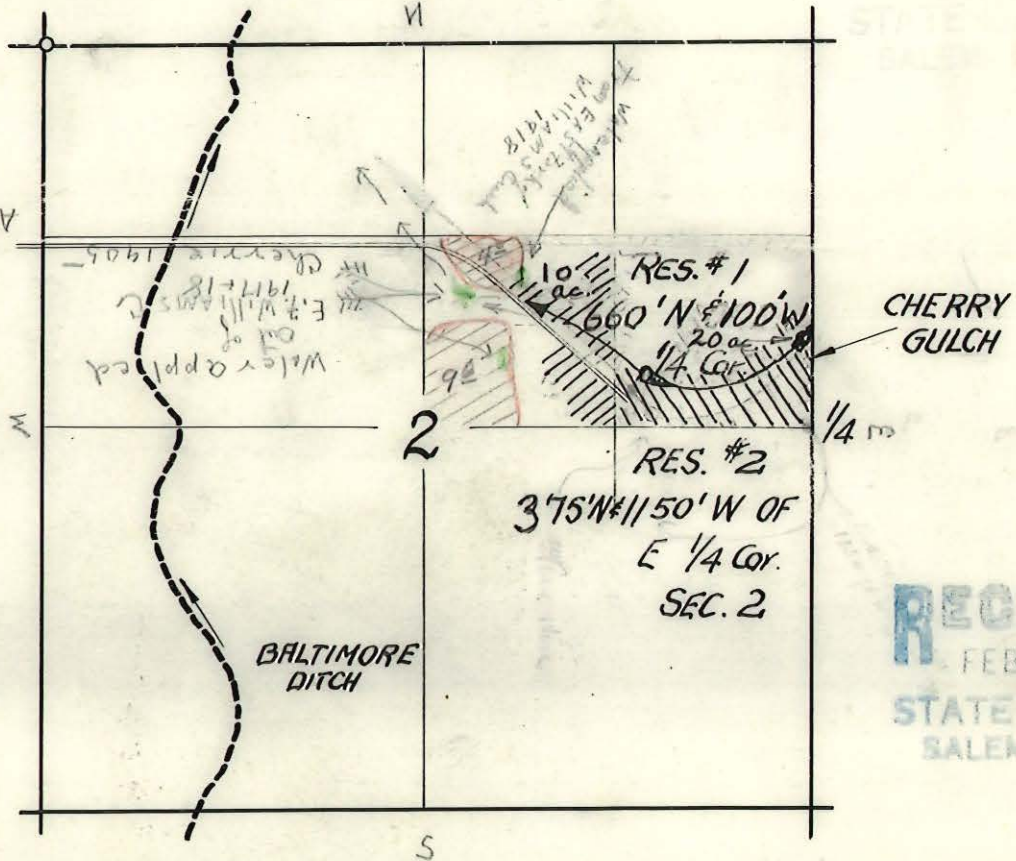
By
Walter N. Perry, Assistant

WNP:mgb
Enclosures

T 39 S R 5 W W M

JAN - 5 1962

Applied by
J.O. Brown
S.J. Brown
C.O. Brown
Perry Sargent



RECEIVED
FEB 2 1962
STATE ENGINE
SALEM, OREGON

APPLICATION FOR PERMIT FOR RES. #1 & RES. #2
& SUPPLEMENTAL WATER, & NEW

CLAIRE O. BROWN
WILLIAMS, OREGON

SCALE: 4" = 1 MILE.

Application No. R-37254 10-27-61
Permit No. 37255
R-2864 & 27926

PTS 1965-
July 1 - 1965
Rochester
N
A

Abstract of Permit No. 27926

Application No. 37255

Certificate No.

Name _____

Claire O. Brown

Address

Williams, Oregon

Source of water supply

Cherry Gulch and two reservoirs to be const. under applicati
No. R-37254, permit No. R-2864, trib. Williams Creek-

Use

~~Irrigation and supplemental irrigation of 175 acres~~

Point of diversion

~~S-660' N. and 100' W.; S-375' N. and 1150' W., both from the E¹ corner of Section 2, being within the SE¹NE¹, Section 2, T. 39 S., R. 5 W., W.M., in the county of Josephine.~~

Number of acres

~~30.0~~ Div. Pl. Loc.

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

[illegible]

Priority date

December 14, 1961

Amount of water

~~0.38 c.f.s., measured at the point of diversion~~

Time limit to begin construction

~~June 26, 1963~~

Time limit to complete construction ~~10/1/64~~ extended to

extended to

Time limit to completely apply water ~~10/1/65~~ extended to extended to

~~This appropriation shall be limited to 1/80th of 1 c.f.s. or its equiv. for each acre irrigated from direct flow & shall be further limited to a diversion of not to exceed 4 1/2 a.f. per acre for each acre irrigated during the irrigation season of each yr. from direct flow & storage from res. to be const. under per. #R-2864, & the right allowed hereunder for the appropriation of water for lands having a valid prior right shall be limited to the amount necessary to make up any deficiency in water available to said lands under said prior right, & the amount allowed herein together with the amount secured under any other right existing for said lands, shall be limited by the duty of water as fixed herein, provided further that the right to use of direct flow is limited to the period when the flow of the Rogue R. is more than 735 c.f.s. at its mouth, & shall be subject to such reasonable rotation system as may be ordered by the proper state officer.~~

Part of area is ditched, part sprinkled from
res; Both gravity-flow and pump.

Ditch system shown on survey. Sprinkling
done more for convenience.

Ditches taken from res. discharges - has spillway
around both ends of dams into which 4" tile
are set to direct flow.

Pumps from outlet - 4" pipe. Gravity
disch. also for some areas.

Pump: } Out for repairs. Said to be M-W
Motor: } Cent div dr. w/1/2 hp 1cy gas engine

Pipe: 200' x 4" steel

200' x 2" DI.

700' x 1 1/4" plastic

Heads: 6 Rain Bird #30,

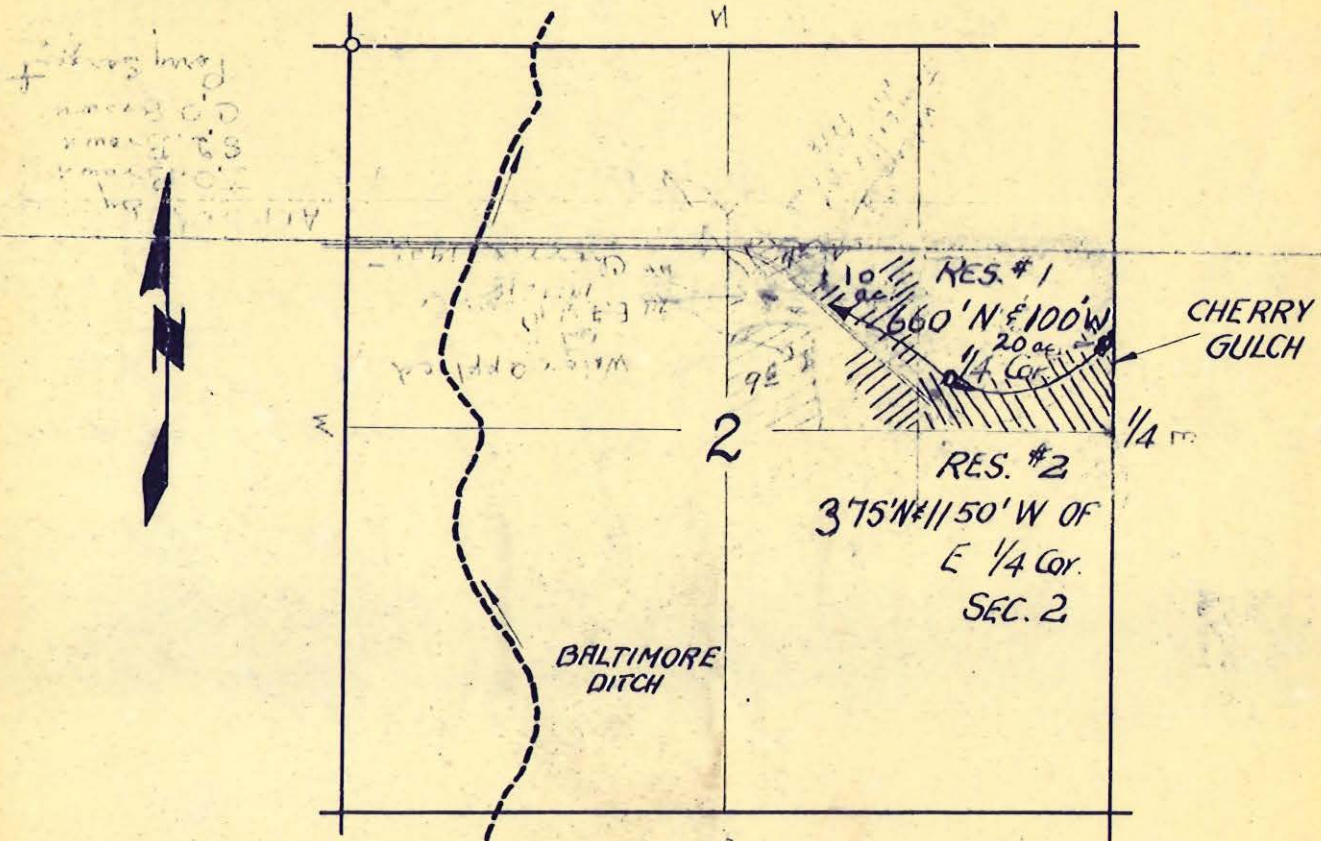
Some of area claimed as irrigated not
surveyed because land is brushy and beneficial
use extremely doubtful.

Info: Claire Brown.

Survey tied to 1/4 cor 2/1 at fence P.1.

Surveyed on 1465-C July 2-1965 R. J. Baker

T 39 S R 5 W W M



APPLICATION FOR PERMIT FOR RES. #1 & RES. #2
& SUPPLEMENTAL WATER, & NEW

CLAIRE O. BROWN
WILLIAMS, OREGON

SCALE: 4" = 1 MILE.

R-37254
37255

10-27-61

Application No. R-2864 & 27926

STATE OF OREGON

COUNTY OF JOSEPHINE

Proof of Appropriation of Water

CLAIRE O. BROWN

of Box 91, Williams, State of Oregon, has applied beneficially the waters of Cherry Gulch and two reservoirs constructed under Application No. R-37254, Permit No. R-2864, a tributary of Williams Creek for the purpose of irrigation of 3.3 acres and supplemental irrigation of 14.2 acres

under Permit No. 27926 of the State Engineer, and that the use of said waters has been completed under the terms of said permit; that the priority of the right dates from December 14, 1961

that the amount of water for the purposes aforesaid, has been actually beneficially used in the amount of 0.22 cubic foot 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 $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, T. 39 S., R. 5 W., W. M. Diversion points located: 660 feet North and 150 feet West; 375 feet North and 1250 feet West; both from the E $\frac{1}{4}$ Corner, Section 2.

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 one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed $4\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit No. R-2864; provided further that the right to use of direct flow is limited to the period when the flow of the Rogue River is more than 735 c.f.s. at its mouth;

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:

Supplemental

1.0 acre
13.2 acres

Primary

3.3 acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 2

T. 39 S., R. 5 W., W. M.

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 28 day of June,

19.67

Claire O. Brown