



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

Date Mailed: July 1, 2003

NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that confirms the water right established under the terms of a permit issued by this department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The owner of the land is the owner of the water right. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

Under ORS 537.260 and 537.270, a water right certificate may be contested before the Water Resources Department within three (3) months of the date it is issued. If a certificate is contested, the contestant shall be offered an administrative hearing.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Gerry Clark at (503) 378-8455, extension 295.

S:\groups\wr\forms\certperm
original to certificate holder, copy to file

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

U.S. BUREAU OF LAND MANAGEMENT
3040 BIDDLE ROAD
MEDFORD, OREGON 97504

confirms the right to store the waters from OREGON GULCH, a tributary of JENNY CREEK in ROSEBUD RESERVOIR FOR STOCK WATER.

The right to store these waters was perfected under Reservoir Permit R-4152. The date of priority is DECEMBER 22, 1960. The amount of water entitled to be stored each year under this right is not more than 0.20 ACRE-FOOT.

The reservoir is located as follows:

SW 1/4 SW 1/4
SECTION 21
TOWNSHIP 40 SOUTH, RANGE 4 EAST, W.M.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provisions of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

WITNESS the signature of the Water Resources Director, affixed
July 1, 2003.



Dwight Fred
Paul R. Cleary

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

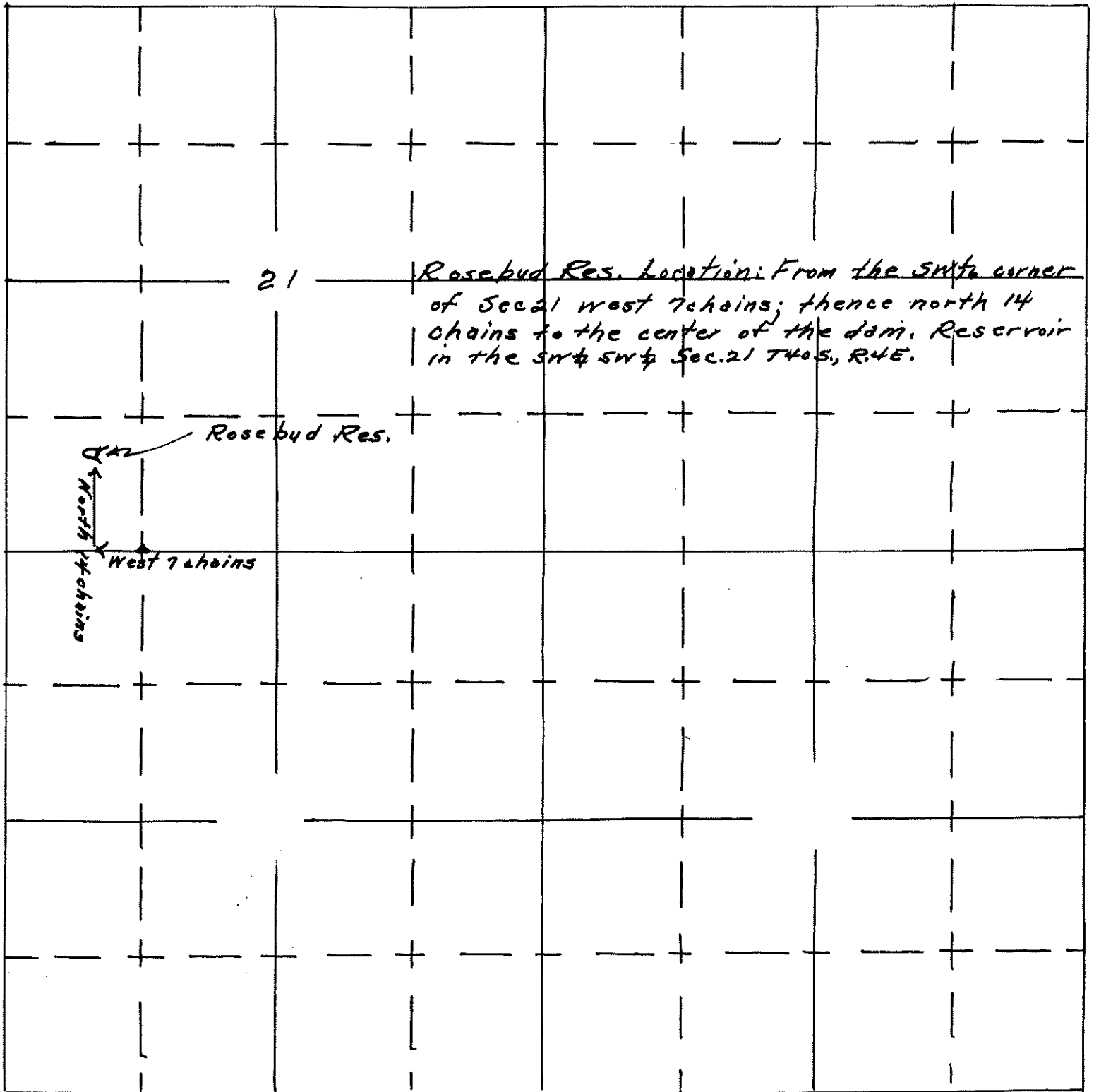
Recorded in State Record of Water Right Certificates number 80185.

R-34248.GB

21
SW 1/4 SW 1/4

Rosebud Reservoir

TOWNSHIP 40S RANGE 4E, W.M.



21

Rosebud Res. Location: From the SW 1/4 corner of Sec 21 west 7 chains; thence north 14 chains to the center of the dam. Reservoir in the SW 1/4 SW 1/4 Sec. 21 T40S, R. 4E.

Rosebud Res.

North 14 chains

West 7 chains

Application No. R-34248
Permit No. R-4152

Mailing List for Final Certificate

Mailing Date: July 1, 2003

Application R-34248
Permit R-4152
Certificate 80185

Permit/Certificate Holder: (include copy of map)

✓ U.S. BUREAU OF LAND MANAGEMENT
3040 BIDDLE ROAD
MEDFORD, OR 97504

Copies Mailed

By: [Signature]
STAFF

on: 7/1/2003
(DATE)

Copies of Final Certificate to be sent to:

- ✓ 1. Watermaster #13: (include copy of map)
- ✓ 2. Data Center (include copy of map)
- ✓ 3. Water Availability

Other persons to receive copies: (Include map)

- 4.
- 5.

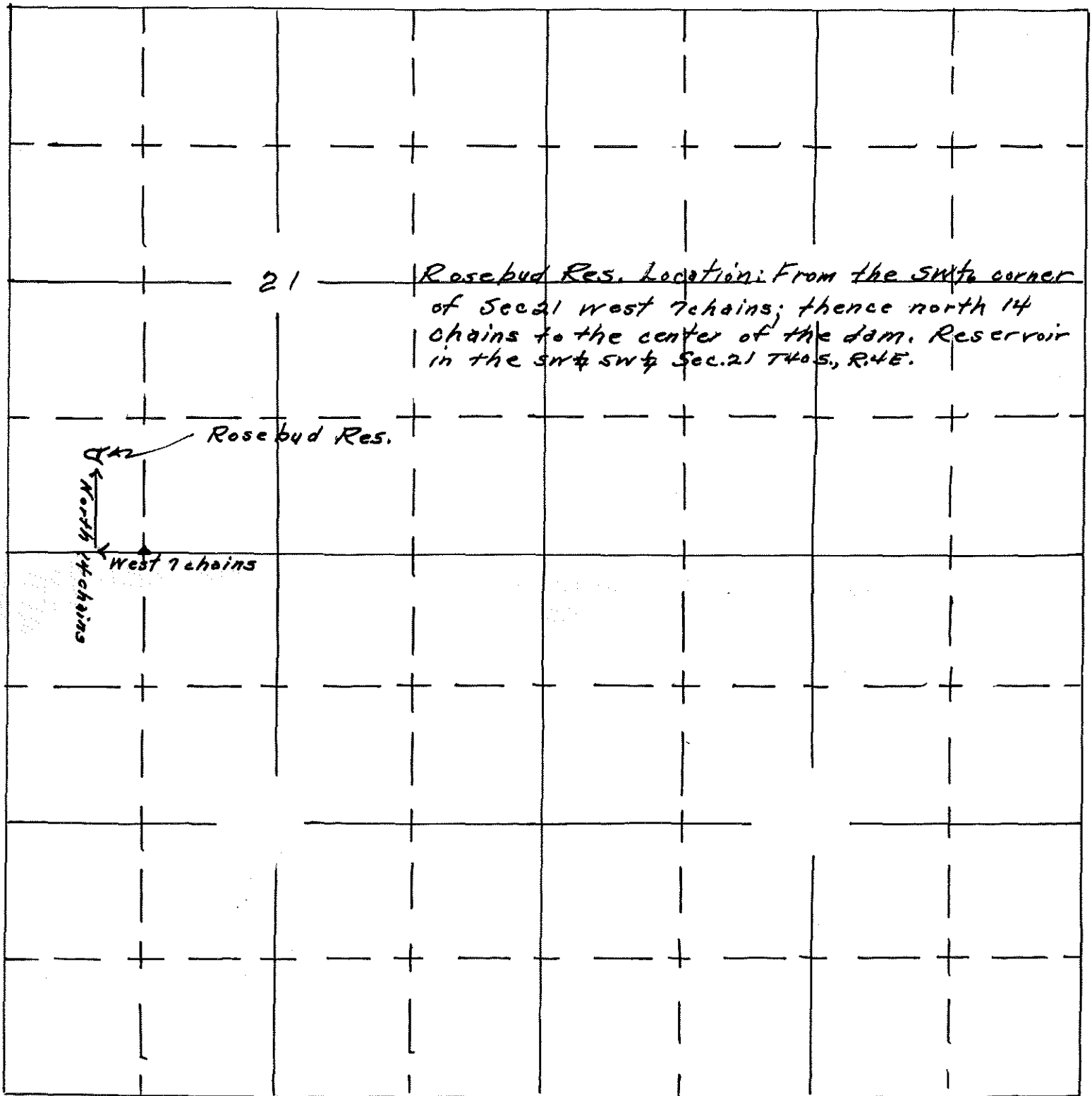
section

21

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

Rosebud Reservoir

TOWNSHIP 40S RANGE 4E, W.M.



Application No. R-34248
Permit No. R-4152

RECEIVED

AUG 15 1960

STATE ENGINEER

SALEM, OREGON *Reservoir Permit No. 4152

Application for a Permit to Construct a Reservoir and to Store for Beneficial Use the Unappropriated Waters of the State of Oregon

I, Bureau of Land Management
(Name of Applicant)

of Box 1106, Medford
(Mailing Address)

State of Oregon, do hereby make application for a permit to construct the following described reservoir and to store the unappropriated waters of the State of Oregon, subject to existing rights.

If the applicant is a corporation, give date and place of incorporation

1. The name of the proposed reservoir is Rosebud Reservoir.

2. The name of the stream from which the reservoir is to be filled and the appropriation made is Oregon Gulch a tributary of Jenny Creek which is a
tributary of the Klamath River.

3. The amount of water to be stored is less than $\frac{1}{2}$ acre feet.

4. The use to be made of the impounded water is for stock watering purposes.
(Irrigation, power, domestic supply, etc.)

5. The location of the proposed reservoir will be in Sec. 21
(Give sections or townships to be submerged)
Tp. 40 S., R. 4 E., W.M., in the county of Jackson.

(a) State whether situated in channel of running stream and give character of material at outlet
Head of a small basin with little or no channel.

Material at the outlet is a heavy, sticky soil.

(b) If not in channel of running stream, state how it is to be filled. If through a feed canal, give name and dimensions It will be filled by the spring runoff and intermittent springs.

6. The dam will be located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21
(Smallest legal subdivision)
Tp. 40 S., R. 4 E., W.M. The maximum height will be 6 feet above stream bed or ground surface on center line of dam. The length on top will be 99 feet; length on bottom 70 feet; width on top 8 feet; slope on front or water side 1 to 1; slope on back 1 to 1; height of dam above water line when full 2 feet.
(Feet horizontal to 1 vertical) (Feet horizontal to 1 vertical)

* A different form of application should be used for the appropriation of stored water to beneficial use. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

7. The construction of dam, the material of which it is to be built, and method of protection from waves are as follows: Dam was built by an angle dozer from the heavy, sticky soil and clay at the site. Due to its small size it requires no protection from wave action.

8. The location of wasteway with dimensions are as follows: Spillway two feet deep
(State whether over or around the dam)
and ten feet wide around the north end.

9. The location of outlet from the proposed reservoir, with character of construction and dimensions, are as follows: Spillway two feet deep and ten feet wide around the north end.

(All dams across natural stream channels must be provided with an outlet conduit, of such capacity and location to pass the normal flow of the stream at any time)

10. The area submerged by the proposed reservoir, when full, will be less than 1/2 acres, with a maximum depth of water of 4 feet; and approximate mean depth of water 2 feet.

11. The estimated cost of the proposed work is \$94.00

12. Construction work will begin on or before Already constructed under the authority of the Taylor Grazing Act of June 30, 1934 as amended.

13. Construction work will be completed on or before

Robert D. Hutter
(Signature of applicant)
ACTING District Manager

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

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before November 14, 1960

WITNESS my hand this 13th day of September, 1960

RECORDED
DEC 21 1960
STATE ENGINEER
DAVENPORT

LEWIS A. STANLEY

STATE ENGINEER

By

Walter N. Perry
Walter N. Perry

ASSISTANT

Remarks:

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

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: The right herein granted is limited to the construction of Rosebud Reservoir and storage of water from Oregon Gulch for livestock, and is subject to the installation and maintenance of an outlet pipe, or to provide other means to evacuate the stored water when determined by the State Engineer to be necessary to satisfy prior downstream rights.

The right hereunder shall be limited to the storage of 0.20 acre feet.

The priority date of this permit is December 22, 1960

Actual construction work shall begin on or before September 10, 1965 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1966.

WITNESS my hand this 10th day of September, 1964

Louis L. Zboron

STATE ENGINEER

Application No. R-34248
Reservoir Permit No. R-4152

PERMIT

To construct a reservoir and store for beneficial use the unappropriated waters of the State of Oregon.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 15 day of August, 1960, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

September 10, 1964

Recorded in Book No. _____ of
Reservoirs, on Page 4152

CHRIS L. WHEELER

State Engineer

Drainage Basin No. 14 page 12A

Fees 1.00

Section

.21

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

Rosebud Reservoir

TOWNSHIP 40S RANGE 4E, W.M.

21

Rosebud Res. Location: From the SW $\frac{1}{4}$ corner of Sec 21 west 7 chains; thence north 14 chains to the center of the dam. Reservoir in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21 T40S, R. 4E.

Rosebud Res.

North 14 chains

West 7 chains

Application No. R-34248
Permit No. R-4152

DEC 22 1960
STATE ENGINEER

R-34179-81
R-34189-94
R-34244-49

January 4, 1961

Bureau of Land Management
Box 1106
Medford, Oregon

Attention: Ross A. Youngblood

Gentlemen:

This will acknowledge receipt of your letter dated December 21, 1960, returning applications numbered R-34179 through R-34181, R-34189 through R-34194 and R-34244 through R-34249 and a Purchase Order No. M-129 for fees in the sum of \$15.00.

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

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Walter H. Perry, Assistant

WHP:mgb

November 15, 1960

Bureau of Land Management
Box 1106
Medford, Oregon

Gentlemen:

Your Applications Numbered R-31211 through R-31219, which were returned to you for completion, endorsed so that in order to retain their date of priority they should have been returned to this office on or before November 11, 1960, have not been received.

They have, therefore, lost their priority but may be reinstated and given a new priority date as of the day they are again received, if you will submit them at this time.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Walter H. Perry, Assistant

WHP:ngb

September 13, 1960

Bureau of Land Management
P. O. Box 1106
Medford, Oregon

Gentlemen:

This will acknowledge receipt of your letter dated August 12, 1960, submitting six applications for permits to construct six reservoirs and store water therein for stock watering purposes.

The applications have been examined and filed as provided by law under files numbered R-34244 through R-34249. Before they may be considered for approval, it will be necessary that you submit a reproducible map to accompany each application showing the location of the proposed reservoir. Items 3 and 10 of each application are not in agreement. It appears that you have entered the surface area of the reservoir in item 3 as the quantity of water to be stored. These items must be in agreement.

It is requested that you complete and return a small dam description to accompany each application where a dam is to be constructed. Forms for this purpose are enclosed. Your applications numbered R-34244 through R-34299 are returned for completion being endorsed so that in order to retain their date of priority, they must be returned to this office on or before November 14, 1960.

Our statement for fees necessary to the applications is enclosed in triplicate.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Walter H. Perry, Assistant

WHP:agb
Enc: 9

ADDITIONAL INFORMATION TO BE SUBMITTED WITH APPLICATIONS PROPOSING CONSTRUCTION OF DAMS LESS THAN 10 FEET IN HEIGHT OR IMPOUNDING LESS THAN 3,000,000 GALLONS

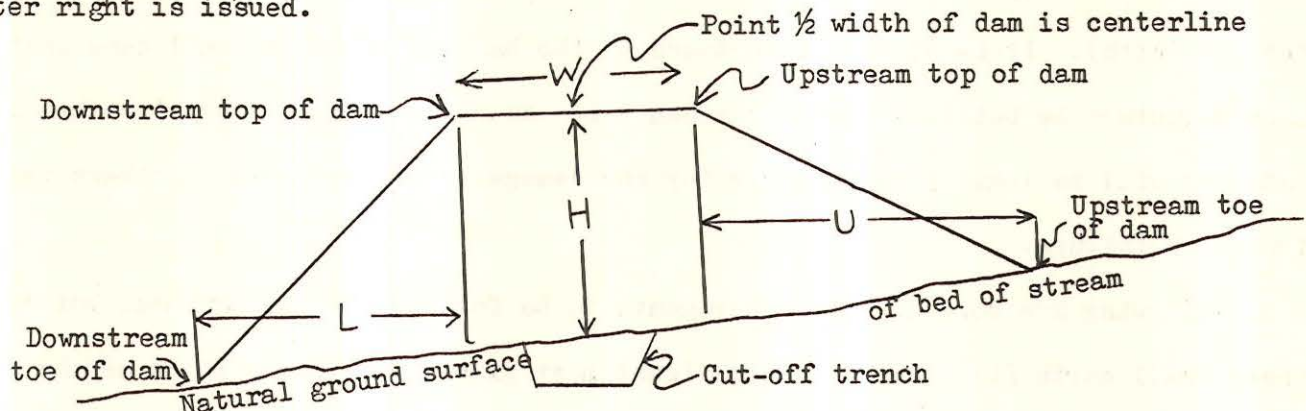
Under Oregon laws the builder is not required to submit plans and specifications, prepared by a registered professional engineer, for approval of the State Engineer for the construction of dams less than 10 feet in height and storing less than 3,000,000 gallons of water (9.2 acre feet or the amount that will cover 9.2 acres of land 1.0 foot in depth). It is of much importance to the builder of these small dams that a safe structure be built as should the dam fail the owner will not only lose his investment but will be legally responsible for any damage to the property of others resulting from such failure.

Following are some of the requirements to be followed by the proposed builders of these small earth fill dams: The applicant must give a full description of the proposed dam in the application which shall be subject to the approval of the State Engineer:

1. Width of crest of dam should be not less than 8 feet;
2. Upstream slope not steeper than 3 horizontal to 1 vertical; and
3. Downstream slope not steeper than 2 horizontal to 1 vertical;
4. Spillway channel should be constructed around either end of dam but not over top. It should have at least twice the capacity required to carry heavy winter flows or spring runoffs without overtopping the dam and should be lined if necessary to prevent erosion of embankment. The depth of the spillway should be sufficient to maintain a minimum distance of 2 feet from the crest of the dam to the water surface in the reservoir during the maximum flood. (This is important as experience has shown that insufficient spillway capacity is the principle cause of failure of small dams.) Water passing over spillway should be returned to creek channel at a sufficient distance downstream to prevent erosion of embankment.
5. All brush, stumps, roots and vegetable matter of all kinds should be cleared from area to be occupied by base of dam and from borrow pits.
6. Asphalt dipped corrugated iron pipe with gate at inlet should be installed to permit draining reservoir. Pipe to be bedded in a trench in the natural ground and not on filled ground. Provision must be made to allow the free passage of the natural flow of the stream at any time. Prefabricated concrete pipe is not acceptable unless encased in concrete.
7. Not less than two cut-off collars should be constructed. These collars should be constructed of concrete with a thickness of not less than 6 inches and should extend from the outside of the pipe a distance of not less than 18 inches in all directions. These cut-off collars should be constructed above or upstream from the center of the dam. Prefabricated asphalt dipped metal cutoff collars are also satisfactory.
8. Material placed in embankment should be free from brush, stumps, roots and vegetable matter of all kinds.
9. Material should be brought in and placed in embankment from ends of dam and spread in thin layers not over 6 inches thick and compacted by carryalls, rubber tired equipment, or compacting rollers traveling the length of the dam.

Before a permit is issued approving an application proposing the construction of a dam less than 10 feet high and storing less than 3,000,000 gallons of water, the information following the sketch below must be filed with the State Engineer, and must conform with the dimensions and description of the dam given in the application. The height is measured from the lowest point of the ground surface or from the lowest point in the stream bed to the top of the dam on the center line of the dam. The data required is that of the maximum section or at the point where the dam is to be highest above the natural ground surface or stream bed.

All dams will be inspected by the State Engineer or his assistant before certificate of water right is issued.



All dimensions given below must conform to minimum requirements shown on other side.

Earth Dam:

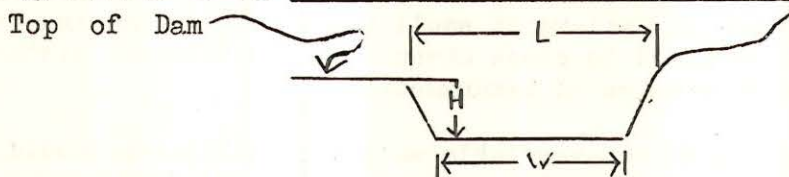
Amount of water impounded less than 1/4 acre feet.

Top width of dam indicated on sketch by letter "W" 8 feet.

Height of dam measured from top of dam to ground surface or bed of stream on center line of dam or a point $\frac{1}{2}$ the top width of the dam, indicated on sketch by letter "H" is 6 feet.

The horizontal distance from upstream top of dam to upstream toe indicated on sketch by letter "U" is 6 feet.

The horizontal distance from downstream, indicated on sketch by letter "L" is 6 feet.



Spillway:

Approximate drainage area of creek above dam less than 1/8 square mile.

Bottom width of spillway, indicated on sketch by letter "W" is 10 feet.

Top width of spillway, indicated on sketch by letter "L" is 11 feet.

Distance between top of dam and bottom of spillway at the upper end, indicated on sketch by letter "H" is 4 feet.

Outlet:

Size and type of outlet pipe through base of dam which will allow free passage of the natural flow of the stream none.

The applicant herewith agrees to build the dam in accordance with the above dimensions, and the requirements given on other side.

ROSS A. YOUNGBLOOD

Signature of Applicant

RECEIVED
DEC 28 1960
STATE ENGINEER