Permit—12C—1-49

Permit No. 19163

CERTIFICATE NO. 27025

* APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, JAMES F. MURPHY
(Name of applicant)

of Beulah , ,
(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* Bendier Creek and reservoir
(Name of stream)
, a tributary of Warm Springs Creek

2. *The amount of water which the applicant intends to apply to beneficial use is* 9.0 *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* Irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. *The point of diversion is located* ______ *ft.* ______ (N. or S.) *and* ______ *ft.* ______ (E. or W.) *from the* ______ *corner of* (1) S 28°00' East, 1082 feet from the N¼ Corner
(Section or subdivision)
of Section 36, Twp. 18 S., Range 37 East W. M.
(2) S 3°30' East, 2638 feet from the N¼ Corner of
Section 36, Twp. 18 S., Range 37 East W. M.
(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 (1)NW¼NE¼ ; (2)SW¼NE¼ (Give smallest legal subdivision) *of Sec.* 36*, Tp.* 18 S (N. or S.)*, R.* 37 E (E. or W.)*, W. M., in the county of* Malheur

5. *The* main ditch (Main ditch, canal or pipe line) *to be* 1.4 miles (Miles or feet) *in length, terminating in the* NW¼NE¼ (Smallest legal subdivision) *of Sec.* 2*, Tp.* 19 S (N. or S.)*, R.* 37 E (E. or W.)*, W. M., the proposed location being shown throughout on the accompanying map.*

DESCRIPTION OF WORKS

Diversion Works—

6. (a) *Height of dam* 61.9 *feet, length on top* 431 *feet, length at bottom* 507 *feet; material to be used and character of construction* clay and rock
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) *Description of headgate* 18" concrete encased pipe through dam with
(Timber, concrete, etc., number and size of openings)
Calco Model 108 sloping gate and control on top of dam

(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.

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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)* Existing ditches 8 *feet; width on bottom* 3 *feet; depth of water* 2 *feet; grade* 2.0 *feet fall per one thousand feet.*

(b) At .5 *miles from headgate: width on top (at water line)* 7 *feet; width on bottom* 2.5 *feet; depth of water* 2 *feet; grade* 1.4 *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	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated		
				Supp'l	New Land	Storage
18 S	37 E	35	SE¼NE¼		33.0	33.0
			NE¼SE¼	6.0	30.0	36.0
			SW¼SE¼		25.0	25.0
			SE¼SE¼	15.0	25.0	40.0
		36	SW¼NW¼	38.0		38.0
			SE¼NW¼	7.0	29.0	36.0
			NE¼SW¼	24.0	16.0	40.0
			NW¼SW¼	38.0		38.0
			SW¼SW¼	8.0	30.0	38.0
			SE¼SW¼	40.0		40.0
19 S	37 E	1	NE¼NW¼	26.0		26.0
			NW¼NW¼	40.0		40.0
			SW¼NW¼	30.0		30.0
			SE¼NW¼		17.0	17.0
			NW¼SW¼	10.0	12.0	22.0
		2	NE¼NE¼	22.0	16.0	38.0
			NW¼NE¼		40.0	40.0
			SW¼NE¼		36.0	36.0
			SE¼NE¼		35.0	35.0
			NE¼SE¼		30.0	30.0
			NW¼SE¼		30.0	30.0

(If more space required, attach separate sheet) Total acres to be irrigated 708.0

(a) Character of soil heavy l

(b) Kind of crops raised alfalfa

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 - - - - (Head) *feet.*

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

- - - - - - - - - - - - - - - -

(e) Such works to be located in - - - - (Legal Subdivision) *of Sec.* - - - , *Tp.* - - - (No. N. or S.), *R.* - - - (No. E. or W.), *W. M.*

(f) Is water to be returned to any stream? - - - (Yes or No)

(g) If so, name stream and locate point of return - - - -

- - - - , *Sec.* - - - , *Tp.* - - - (No. N. or S.), *R.* - - - (No. E. or W.), *W. M.*

(h) The use to which power is to be applied is - - - -

- - - - - - - - - - - - - - - -

(i) The nature of the mines to be served - - - -

- - - - - - - - - - - - - - - -

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, $ 19,000.00

12. Construction work will begin on or before when approved

13. Construction work will be completed on or before June 1, 1949.

14. The water will be completely applied to the proposed use on or before June 1, 1950

(Sgd) Jas F. Murphy
(Signature of applicant)

Remarks:

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

Application No. 13531
Application No. 23558

Permit No. 19163

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Division No. ..... *District No.* .....

This instrument was first received in the office of the State Engineer at Salem, Oregon,

on the 9th *day of* December,

19 48, *at* 1:00 *o'clock* P. *M.*

Returned to applicant:

.....

Corrected application received:

.....

Approved:

May 18, 1950

Recorded in book No. 47 *of*

Permits on page 19163

CHAS. E. STRICKLIN
STATE ENGINEER

Drainage Basin No. 10 *Page* 18

Fees Paid $60.90

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 9.0 *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* Bendier Creek and reservoir to be constructed under Applications No. R-13530 and No. R-23557, combined, Permit No. R-1005.

The use to which this water is to be applied is irrigation and supplemental irrigation

If for irrigation, this appropriation shall be limited to 1/40th *of one cubic foot per second* or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir to be constructed under Permit No. R-1005, and shall be still further limited to a diversion of not to exceed 9.0 c.f.s.; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein,

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 December 9, 1948 for direct flow from Bendier Creek and December 16, 1930 for 758 a.f., December 9, 1948 for 380.6 a.f. and November 8, 1949 for 64.1 a.f. for stored water.

Actual construction work shall begin on or before May 18, 1951 *and shall thereafter be prosecuted with reasonable diligence and be completed on or before* October 1, 1952

Complete application of the water to the proposed use shall be made on or before October 1, 1953

WITNESS my hand this 18th *day of* May, *19* 50.

CHAS. E. STRICKLIN
STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Oregon Laws 1933.

State Printing Dept. 28175