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File No 38749

Permit No. 28839

STATE ENGINEER
SALEM, OREGON

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Oscar H. Coen

(Name of applicant)

of Route 1 Box 110, Baker

(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 Bear Creek

(Name of stream)

, a tributary of Powder River

2. The amount of water which the applicant intends to apply to beneficial use is 1.7

cubic feet per second.

(If there 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 230 ft. S and 350 ft. W from the NE

(N. or S.)

(E. or W.)

corner of SW 1/4 of SW 1/4 Sec 36

(Section or subdivision)

(Other Point is 620' N 300' E of SW Corner of
SE 1/4 of SE 1/4 Sec. 35 Being Within SE 1/4 of SE 1/4
Sec. 35 Tp 8s R38E Baker Co)

(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 SW 1/4 of SW 1/4 of Sec. 36, Tp. 8 S

(Give smallest legal subdivision)

(N. or S.)

R. 38 E, W. M., in the county of Baker

(E. or W.)

5. The Main Ditch to be 3/4 Mile

(Main ditch, canal or pipe line)

(Miles or feet)

in length, terminating in the NE 1/4 of NE 1/4 of Sec. 1, Tp. 9 S

(Smallest legal subdivision)

(N. or S.)

R. 38 E, 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 headgates Timber - 1 Inlet 12" by 16"

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

Two Outlets 12" by 16"

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

(Size and type of pump)

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

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

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

Canal System or Pipe Line—

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

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

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

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
85	38E	35	SE 1/4 SE 1/4	8
85	38E	36	SW 1/4 SW 1/4	2
85	38E	36	SE 1/4 SW 1/4	10
95	38E	1	NE 1/4 NW 1/4	17
95	38E	1	NW 1/4 NE 1/4	27
95	38E	1	NE 1/4 NE 1/4	3

(If more space required, attach separate sheet)

(a) Character of soil Loam

(b) Kind of crops raised Hay, Pasture, Grain

Power or Mining Purposes—

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

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

(c) Total fall to be utilized feet.

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

(e) Such works to be located in of Sec.

Tp., R., 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., R., W. M.

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

(i) The nature of the mines to be served

PERMIT

STATE OF OREGON,

County of Marion,

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 1.68 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 Bear Creek

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 and shall be further limited to a diversion of not to exceed 3 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be further limited to any deficiency in the available supply of any prior right existing for the same land and 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 May 13, 1963

Actual construction work shall begin on or before July 18, 1964 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1965

Complete application of the water to the proposed use shall be made on or before October 1, 1966

WITNESS my hand this 18th day of July, 1963

Chris L. Whiseler

STATE ENGINEER

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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 13th day of May, 1963, at 10:45 o'clock A.M.

Returned to applicant:

Approved:

July 18, 1963

Recorded in book No. 80 of

28839

Permits on page

CHRIS L. WHISELER

STATE ENGINEER

Drainage Basin No. 9

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Fees