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*APPLICATION FOR PERMIT

AUG 27 1975

WATER RESOURCES DEPT. To appropriate the Public Waters of the State of Oregon SALEM, OREGON

I, U.S.D.A. - Forest Service - Malheur National Forest (Name of applicant) of 139 N.E. Dayton (Mailing address), John Day (City), State of Oregon, 97845 (Zip Code), 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 Swamp Creek (Name of stream), a tributary of North Fork Malheur River

2. The amount of water which the applicant intends to apply to beneficial use is 1-2 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 (waterspreading) Irrigation (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 317' ft. N and 792' ft. E from the NW corner of Section 10, T.15S., R. 35 1/2 E., W.M. (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 SW 1/4 SW 1/4 of Sec. 3, Tp. 15S, R. 35 1/2 E., W. M., in the county of Grant (Give smallest legal subdivision) (N. or S.)

5. The main ditch to be 0.75 miles in length, terminating in the SW 1/4 NE 1/4 of Sec. 10, Tp. 15S, R. 35 1/2 E., W. M., the proposed location being shown throughout on the accompanying map. (Main ditch, canal or pipe line) (Miles or feet) (Smallest legal subdivision) (N. or S.)

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 corrugated pipe - 15 inches in diameter (Timber, concrete, etc., number and size of openings)

(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. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

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

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
15S	35½E	10	NE¼NW¼	23.4
15S	35½E	10	SE¼NW¼	2.5
15S	35½E	10	NW¼NE¼	16.9
15S	35½E	10	SW¼NE¼	32.5
15S	35½E	10	SE¼NE¼	4.3
15S	35½E	10	NE¼SW¼ NE¼ SE¼	4.3
15S	35½E	10	SE¼NW¼ NW¼ SE¼	3.1

(If more space required, attach separate sheet)

(a) Character of soil silt loam to clay loam

(b) Kind of crops raised introduced grass - range forage

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.
(Head)

(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.
(Legal subdivision)

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

(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.
(No. N. or S.) (No. E. or W.)

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

(i) The nature of the mines to be served

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, \$ Unknown
- 12. Construction work will begin on or before N.A.
- 13. Construction work will be completed on or before N.A.
- 14. The water will be completely applied to the proposed use on or before July 1, Annually

Robert P. Keizer
(Signature of applicant) *District Engineer*

Remarks: existing structure constructed in 1965

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 correction and completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before November 28, 1975

WITNESS my hand this 29th day of September, 1975

James E. Sexson, Director

By *Vestal R. Garner*
Vestal R. Garner ASSISTANT

RECEIVED
NOV 28 1975
WATER RESOURCES DEPT.
SALEM, OREGON

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 2.0 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 Swamp Creek

The use to which this water is to be applied is 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 acre feet per acre for each acre irrigated during the irrigation season of each year,

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 August 27, 1975

Actual construction work shall begin on or before April 16, 1977 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1977.

Complete application of the water to the proposed use shall be made on or before October 1, 1978.

WITNESS my hand this 16th day of April 1976

James E. Selman
WATER RESOURCES DIRECTOR

Application No. 53586
Permit No. 40092

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 27 day of August 1975, at 8 o'clock P. M.

Returned to applicant:

Approved:

Recorded in book No. 40092 of Permits on page

STATE ENGINEER

Drainage Basin No. 10 page 19
Fees