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"CERTIFICATE NO. 54170"

41208 RECEIVED

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WATER RESOURCES DEPT SALEM, OREGON

*APPLICATION FOR PERMIT

WATER RESOURCES DEPT SALEM, OREGON

To Appropriate the Public Waters of the State of Oregon

I, Frank A Bettencourt (Name of applicant)

of Rural Rt. (Mailing address), Olex (City)

State of Oregon, 97812 (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 Rock Creek (Name of stream)

, a tributary of The John Day

2. The amount of water which the applicant intends to apply to beneficial use is 0.72 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 3010 ft. S. and 50 ft. E. from the N.W. corner of Section 11 (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 N.W. 1/4 of S.W. 1/4 of Sec. 11, Tp. 1 S. (Give smallest legal subdivision) (N. or S.)

R. 21 E., W. M., in the county of Gilliam (E. or W.)

5. The N/A (Main ditch, canal or pipe line) to be (Miles or feet)

in length, terminating in the (Smallest legal subdivision) of Sec. (N. or S.)

R. (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 N/A 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 (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, 950 ft.; size at intake, 6 in.; size at 20 ft. from intake 5 in.; size at place of use 4 in.; difference in elevation between intake and place of use, 60 ft. Is grade uniform? yes Estimated capacity,72 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
1S.	21 E.	11	S.W. ¹ / ₄ , N.W. ¹ / ₄	16
1 S.	21 E.	11	N.W. ¹ / ₄ , S.W. ¹ / ₄	12.8

(If more space required, attach separate sheet)

(a) Character of soil Silt Loam

(b) Kind of crops raised Grain and hay

Power or Mining Purposes—

9. (a) Total amount of power to be developed N/A 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 N/A

(Name of) County, having a present population 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, \$ 6,000

12. Construction work will begin on or before March 1, 1977

13. Construction work will be completed on or before April 1, 1977

14. The water will be completely applied to the proposed use on or before May 1, 1977

Frank A. Bettencourt
(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

By _____ ASSISTANT

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 0.72 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 Rock 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 5 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 December 1, 1976

Actual construction work shall begin on or before January 18, 1978 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1978

Complete application of the water to the proposed use shall be made on or before October 1, 1979

WITNESS my hand this 18th day of January, 19 77

James E. Sullivan
WATER RESOURCES DIRECTOR

Application No. 54990
Permit No. 41208

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 17 day of November, 1976, at 11 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. _____ of _____
Permits on page 41208

STATE ENGINEER

Drainage Basin No. 6 page 33A

Fees 3000