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MAR 10 1976

APPLICATION FOR PERMIT

WATER RESOURCES DEPT. SALEM, OREGON

To Appropriate the Public Waters of the State of Oregon

I, WE, water right holders on Rock Creek, by our agent Patti McGoin of P.O. Box 431, Condon, Oregon 97823, 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 Rock Creek, a tributary of John Day River

2. The amount of water which the applicant intends to apply to beneficial use is 38.708 cubic feet per second

3. The use to which the water is to be applied is irrigation

4. The point of diversion is located ft. and ft. from the corner of

being within the of Sec. Tp. R. W. M., in the county of

5. The to be in length, terminating in the of Sec. Tp. R. W. M., the proposed location being shown throughout on the accompanying map.

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

(b) Description of headgate

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

* 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—

N.A. 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

Table with 5 columns: Township North or South, Range E or W of Willamette Meridian, Section, Forty-acre Tract, Number Acres To Be Irrigated. Row 1: SEE ATTACHED DESCRIPTION. Below are several empty rows.

(If more space required, attach separate sheet)

(a) Character of soil sandy loam

(b) Kind of crops raised pasture, forage and grain

Power or Mining Purposes—

N.A. 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

total

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POINTS of Diversion

Patti McCain et al application

Distances taken from map. Accurate within 50' either way.

WATER RESOURCES DEPT

SALEM, OREGON

- #1 1090' S & 3090' E from the NW corner of section 17, T. 1 N., R. 20 E., W.M., being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, section 17, T. 1 N., R. 20 E., W.M.
- #2 970' S & 3750' E from the NW corner of section 16, T. 1 N., R. 20 E., W.M., being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, section 16, T. 1 N., R. 20 E., W.M.
- #3 1460' S & 3150' E from the NW corner of section 15, T. 1 N., R. 20 E., W.M., being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, section 15, T. 1 N., R. 20 E., W.M.
- #4 3310' S & 2850' E from the NW corner of section 14, T. 1 N., R. 20 E., W.M., being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, section 14, T. 1 N., R. 20 E., W.M.
- #5 3450' S & 2850' E from the NW corner of section 14, T. 1 N., R. 20 E., W.M., being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, section 14, T. 1 N., R. 20 E., W.M.
- #6 1270' S & 2550' W from the NE corner of section 24, T. 1 N., R. 20 E., W.M., being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, section 24, T. 1 N., R. 20 E., W.M.
- #7 1580' S & 1550' W from the NE corner of section 24, T. 1 N., R. 20 E., W.M., being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, section 24, T. 1 N., R. 20 E., W.M.
- #8 3730' S & 40' E from the NW corner of section 19, T. 1 N., R. 21 E., W.M., being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, section 19, T. 1 N., R. 21 E., W.M.
- #9 3680' S & 140' E from the NW corner of section 19, T. 1 N., R. 21 E., W.M., being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, section 19, T. 1 N., R. 21 E., W.M.
- #10 580' N & 1600' W from the SE corner of section 30, T. 1 N., R. 21 E., W.M., being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, section 30, T. 1 N., R. 21 E., W.M.
- #11 100' N & 1720' W from the SE corner of section 30, T. 1 N., R. 21 E., W.M., being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, section 30, T. 1 N., R. 21 E., W.M.
- #12 1930' S & 2350' E from the NW corner of section 32, T. 1 N., R. 21 E., W.M., being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, section 32, T. 1 N., R. 21 E., W.M.
- #13 1500' S & 1230' W from the NE corner of section 32, T. 1 N., R. 21 E., W.M., being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, section 32, T. 1 N., R. 21 E., W.M.
- #14 2140' S & 1350' W from the NE corner of section 32, T. 1 N., R. 21 E., W.M., being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, section 32, T. 1 N., R. 21 E., W.M.
- #15 4200' S & 300' E from the NW corner of section 33, T. 1 N., R. 21 E., W.M., being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, section 33, T. 1 N., R. 21 E., W.M.
- #16 3790' S & 1360' E from the NW corner of section 33, T. 1 N., R. 21 E., W.M., being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, section 33, T. 1 N., R. 21 E., W.M.
- #17 4480' S & 2600' E from the NW corner of section 33, T. 1 N., R. 21 E., W.M., being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, section 33, T. 1 N., R. 21 E., W.M.

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Points of Diversion
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- #18 4960' S & 2990' E from the NW corner of section 33, T. 1 N., R. 21 E., W.M., being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, section 33, T. 1 N., R. 21 E., W.M.
- #19 1780' S & 640' W from the NE corner of section 4, T. 1 S., R. 21 E., W.M., being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, section 4, T. 1 S., R. 21 E., W.M.
- #20 2980' S & 2100' E from the NW corner of section 3, T. 1 S., R. 21 E., W.M., being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, section 3, T. 1 S., R. 21 E., W.M.
- #21 4420' S & 2400' E from the NW corner of section 3, T. 1 S., R. 21 E., W.M., being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, section 3, T. 1 S., R. 21 E., W.M.
- #22 8400' S & 460' E from the NW corner of section 2, T. 1 S., R. 21 E., W.M., being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, section 11, T. 1 S., R. 21 E., W.M.
- #23 11180' S & 2450' E from the NW corner of section 2, T. 1 S., R. 21 E., W.M., being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, section 14, T. 1 S., R. 21 E., W.M.
- #24 11330' S & 2870' E from the NW corner of section 2, T. 1 S., R. 21 E., W.M., being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, section 14, T. 1 S., R. 21 E., W.M.
- #25 7320' N & 6060' W from the SE corner of section 24, T. 1 S., R. 21 E., W.M., being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, section 14, T. 1 S., R. 21 E., W.M.
- #26 6190' N & 6210' W from the SE corner of section 24, T. 1 S., R. 21 E., W.M., being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, section 14, T. 1 S., R. 21 E., W.M.
- #27 5080' N & 4700' W from the SE corner of section 24, T. 1 S., R. 21 E., W.M., being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, section 24, T. 1 S., R. 21 E., W.M.
- #28 3890' N & 3400' W from the SE corner of section 24, T. 1 S., R. 21 E., W.M., being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, section 24, T. 1 S., R. 21 E., W.M.
- #29 2730' N & 800' W from the SE corner of section 24, T. 1 S., R. 21 E., W.M., being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, section 24, T. 1 S., R. 21 E., W.M.
- #30 1420' N & 100' E from the SW corner of section 19, T. 1 S., R. 22 E., W.M., being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, section 19, T. 1 S., R. 22 E., W.M.
- #31 380' S & 1030' E from the NW corner of section 30, T. 1 S., R. 22 E., W.M., being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, section 30, T. 1 S., R. 22 E., W.M.
- #32 1890' S & 1910' E from the NW corner of section 30, T. 1 S., R. 22 E., W.M., being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, section 30, T. 1 S., R. 22 E., W.M.
- #33 3560' S & 2850' E from the NW corner of section 30, T. 1 S., R. 22 E., W.M., being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, section 30, T. 1 S., R. 22 E., W.M.
- #34 1010' N & 1200' E from the SW corner of section 4, T. 2 S., R. 22 E., W.M., being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, section 4, T. 2 S., R. 22 E., W.M.

- #35 1310' S & 1350' E from the NW corner of section 9, T. 2 S., R. 22 E.,
W.M., being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, section 9, T. 2 S., R. 22 E., W.M.
- #36 9080' S & 7450' E from the NW corner of section 9, T. 2 S., R. 22 E.,
W.M., being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, section 15, T. 2 S., R. 22 E., W.M.
- #37 20930' S & 9190' E from the NW corner of section 9, T. 2 S., R. 22 E.,
W.M., being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, section 27, T. 2 S., R. 22 E., W.M.

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
1 North	20 East	10	SW $\frac{1}{4}$ SE $\frac{1}{4}$	5.8
"	"	13	SE $\frac{1}{4}$ SW $\frac{1}{4}$	9.6
"	"	"	SW $\frac{1}{4}$ SW $\frac{1}{4}$	11.0
"	"	14	SW $\frac{1}{4}$ NE $\frac{1}{4}$	4.6
"	"	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.6
"	"	"	SE $\frac{1}{4}$ SE $\frac{1}{4}$	17.0
"	"	"	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.0
"	"	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	23.6
"	"	"	NE $\frac{1}{4}$ SW $\frac{1}{4}$	5.6
"	"	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	7.2
"	"	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.2
"	"	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	5.2
"	"	15	SE $\frac{1}{4}$ NE $\frac{1}{4}$	21.4
"	"	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	10.6
"	"	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	23.1
"	"	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	12.6
"	"	"	NE $\frac{1}{4}$ SW $\frac{1}{4}$	12.5
"	"	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	6.2
"	"	"	NE $\frac{1}{4}$ NW $\frac{1}{4}$	14.6
"	"	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$	27.2
"	"	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	18.7
"	"	16	NE $\frac{1}{4}$ NE $\frac{1}{4}$	4.8
"	"	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	12.8
"	"	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	7.4
"	"	"	NE $\frac{1}{4}$ NW $\frac{1}{4}$	11.8
"	"	"	NW $\frac{1}{4}$ NW $\frac{1}{4}$	.4
"	"	17	NE $\frac{1}{4}$ NE $\frac{1}{4}$	.6
"	"	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	15.5
"	"	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	17.1
"	"	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	3.0
"	"	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$	.5
"	"	24	SE $\frac{1}{4}$ NE $\frac{1}{4}$	21.8
"	"	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	25.0
"	"	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	.3
"	"	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	4.6
"	"	"	NE $\frac{1}{4}$ NW $\frac{1}{4}$	17.3
"	"	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$	15.6
"	"	25	NE $\frac{1}{4}$ NE $\frac{1}{4}$	7.8
"	"	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	15.0
"	"	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	.8
1 North	21 East	19	SW $\frac{1}{4}$ SW $\frac{1}{4}$	19.8
"	"	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	21.2
"	"	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.6
"	"	30	SW $\frac{1}{4}$ NE $\frac{1}{4}$	12.5
"	"	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	1.5
"	"	"	SW $\frac{1}{4}$ SE $\frac{1}{4}$	15.0
"	"	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	11.5
"	"	"	NE $\frac{1}{4}$ NW $\frac{1}{4}$	10.8

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2013

1 North	21 East	30	SE $\frac{1}{4}$ NW $\frac{1}{4}$	15.1
"	"	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	28.8
"	"	"	NW $\frac{1}{4}$ NW $\frac{1}{4}$	30.1
"	"	31	NE $\frac{1}{4}$ NE $\frac{1}{4}$	16.6
"	"	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	9.8
"	"	32	SE $\frac{1}{4}$ NE $\frac{1}{4}$	8.0
"	"	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	6.0
"	"	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	8.7
"	"	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	26.4
"	"	"	SE $\frac{1}{4}$ SE $\frac{1}{4}$	15.4
"	"	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1.8
"	"	"	NE $\frac{1}{4}$ SW $\frac{1}{4}$	5.0
"	"	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	8.2
"	"	"	NE $\frac{1}{4}$ NW $\frac{1}{4}$	.3
"	"	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$	11.1
"	"	"	SW $\frac{1}{4}$ NW $\frac{1}{4}$	9.7
"	"	"	NW $\frac{1}{4}$ NW $\frac{1}{4}$	9.9
"	"	33	SW $\frac{1}{4}$ SE $\frac{1}{4}$	12.4
"	"	"	NE $\frac{1}{4}$ SW $\frac{1}{4}$	6.4
"	"	"	SE $\frac{1}{4}$ SW $\frac{1}{4}$	30.6
"	"	"	SW $\frac{1}{4}$ SW $\frac{1}{4}$	31.2
"	"	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	5.8
1 South	21 East	3	SW $\frac{1}{4}$ NW $\frac{1}{4}$	3.6
"	"	"	NE $\frac{1}{4}$ SW $\frac{1}{4}$	5.9
"	"	"	SE $\frac{1}{4}$ SW $\frac{1}{4}$	14.3
"	"	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$	2.4
"	"	4	NW $\frac{1}{4}$ NE $\frac{1}{4}$	8.1
"	"	4	NE $\frac{1}{4}$ NE $\frac{1}{4}$	.6
"	"	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	11.0
"	"	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	.6
"	"	10	NE $\frac{1}{4}$ NE $\frac{1}{4}$	3.0
"	"	10	SE $\frac{1}{4}$ NE $\frac{1}{4}$	12.4
"	"	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	11.0
"	"	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	8.6
"	"	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	.4
"	"	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	.1
"	"	"	.	.
"	"	11	SW $\frac{1}{4}$ SW $\frac{1}{4}$	14.7
"	"	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	.5
"	"	13	SW $\frac{1}{4}$ SW $\frac{1}{4}$	6.0
"	"	14	SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5
"	"	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	10.2
"	"	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	11.0
"	"	"	SE $\frac{1}{4}$ SE $\frac{1}{4}$	21.9
"	"	"	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.6
"	"	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	11.8
"	"	"	NE $\frac{1}{4}$ NW $\frac{1}{4}$	8.7
"	"	"	NW $\frac{1}{4}$ NW $\frac{1}{4}$	5.1
"	"	24	SE $\frac{1}{4}$ NE $\frac{1}{4}$	13.0
"	"	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	30.1
"	"	"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	27.2
"	"	"	SE $\frac{1}{4}$ SE $\frac{1}{4}$.8
"	"	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	12.62
"	"	"	NE $\frac{1}{4}$ NW $\frac{1}{4}$	19.4
"	"	"	SE $\frac{1}{4}$ NW $\frac{1}{4}$	20.0

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1 South	21 East	24	NW ₄ NW ₄	11.6
"	"	23	NE ₄ NE ₄	8.0
1 South	22 East	19	SE ₄ SW ₄	4.9
"	"	"	SW ₄ SW ₄	19.3
"	"	"	NW ₄ SW ₄	4.5
"	"	30	SW ₄ NE ₄	3.5
"	"	"	NE ₄ SW ₄	1.9
"	"	"	NE ₄ NW ₄	15.1
"	"	"	SE ₄ NW ₄	21.6
"	"	"	SW ₄ NW ₄	1.2
"	"	"	NW ₄ NW ₄	13.4
2 South	22 East	4	SW ₄ SW ₄	24.7
"	"	"	NW ₄ SW ₄	29.1
"	"	5	NE ₄ SE ₄	4.3
"	"	9	SW ₄ NE ₄	2.8
"	"	"	SE ₄ SE ₄	13.8
"	"	"	SW ₄ SE ₄	18.3
"	"	"	NW ₄ SE ₄	27.6
"	"	"	NE ₄ SW ₄	8.1
"	"	"	SE ₄ SW ₄	8.0
"	"	"	NE ₄ NW ₄	18.3
"	"	"	SE ₄ NW ₄	20.9
"	"	"	NW ₄ NW ₄	20.0
"	"	15	NE ₄ SW ₄	6.1
"	"	"	NE ₄ NW ₄	1.2
"	"	"	SE ₄ NW ₄	9.5
"	"	"	SW ₄ NW ₄	4.5
"	"	"	NW ₄ NW ₄	15.9
"	"	16	NE ₄ NE ₄	5.2
"	"	27	NE ₄ SE ₄	4.0
"	"	"	SE ₄ SE ₄	9.0
				<u>1,548.32</u>

1273.02

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M.A. 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, \$ _____ will use existing systems.
- 12. Construction work will begin on or before _____ completed at present
- 13. Construction work will be completed on or before _____ existing
- 14. The water will be completely applied to the proposed use on or before April 1, 1976

Robert M. Luby
J. Douglas Porter
 HOLLORS J. A. Stalder
Math B. Rice
Frank Pettigrew
Ronald W. Davis - David Davis
J. A. West
Beard Hills Property Child
Steinke Trust By Ryan Steinke

Charles P. Mard
 (Signature of applicant)
Edna H. Olsen
Page 24414
Spencer Brooks
Jay L. Whelhouse
Lee Pettigrew
Dale Brown & Son

Cara M. Cain, Agent

REMARKS: All participants agree there should be a live stream flow from the point where the Happner-Condon State Highway No. 206 crosses Rock Creek to and through the NW 1/4 of Section 17, Township 1 North, Range 20 East, W.M., before any diversion would be allowed under ^{this} ~~the~~ application for Winter Water Rights.

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 _____ May 10 _____, 19 77.

WITNESS my hand this _____ 9th _____ day of _____ February _____, 19 77.

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WATER RESOURCES DEPT
SALEM, OREGON

JAMES E. SEXSON
Director
By Vestal R. Garner
Vestal R. Garner

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 36.8 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 supplemental irrigation. The use allowed herein may be made any time between October 1 and March 31 that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season.

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 1 1/2 acre feet per acre for each acre irrigated during the period from October 1 to March 31, provided further that the right allowed herein, together with the amount secured under any other right existing for the same land shall not exceed 4 acre feet for each acre irrigated in any one year. The use of water authorized herein shall not establish priority of right as against future appropriations of surface water for beneficial uses or for storage for such beneficial uses, other than similar rights for irrigation from October 1 to March 31. Sufficient flow shall be left in Rock Creek to provide stockwater throughout its course during the period of use authorized 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 March 10, 1976

Actual construction work shall begin on or before November 14, 1978 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1979.

Complete application of the water to the proposed use shall be made on or before October 1, 1980.

WITNESS my hand this 14th day of November 1977.

James E. Byron
Water Resources Director

Application No. 54009
Permit No. 42121

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 10 day of March 1976, at 8 o'clock A. M.

Returned to applicant:

Approved:

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

STATE ENGINEER

Drainage Basin No. 6 page 35A

Fees 46.20

2380 refund.