

Application No. 55635

Permit No. 42210

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to Appropriate Surface Water

I, Richard D. Hevner (Name of Applicant)

of P.O. Box 47, Brown (Mailing Address, City)

State of Oregon, 97903 (Zip Code), Phone No. (503) 477-2234 do hereby

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is Willowcreek, a tributary of Malheur River

2. The point of diversion is to be located 400 ft. east and 250 ft. south from the N.W. corner of N.E. 1/4 N.E. 1/4 of section 25 (Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the N.E. 1/4 of the N.E. 1/4 of Sec. 25 Tp. 15 S., R. 42 E., W. M., in the county of Malheur

3. Location of area to be irrigated, or place of use if other than irrigation.

Table with 5 columns: Township, Range, Section, List 1/4 1/4 of Section, List use and/or number of acres to be irrigated. Includes handwritten entries for sections 25, 30, and 3, and a handwritten '65' in the final row.

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

cubic feet per second..... 1.5 cubic feet.....

(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is supplement water for early.....

irrigation.....

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

There has been a point of diversion in this same place for nearly 60 years and the indicated land under Orchard Water Company has picked up water from this source since.....

The water is creek flow and not added to from reservoir water. There are several old water rights.....

on this creek. I would like a class 3 water right to use water when all demands are filled or not being used, especially in early spring before most people start irrigation. The ditch I use is my own private one, not a company ditch.

This water right would supplement a well I have and Orchard Water Company shares.

If for domestic use state number of families to be supplied.....

7. Construction work will begin on or before.....

8. Construction work will be completed on or before.....

9. The water will be completely applied to the proposed use on or before.....

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Remarks:.....

Richard D. Heuser
Signature of Applicant

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 Water Resources Director with corrections on or before....., 19.....

WITNESS my hand this..... day of....., 19.....

Water Resources Director

By.....

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

8th day of April, 1977, at 8 o'clock

A.M.

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Permit No.

Permit to appropriate the Public Waters of the State of Oregon

RECEIVED APR 8 1977 WATER RESOURCES DIV SALEM, OREGON

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD 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 1.5 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 Willow Creek

The use to which this water is to be applied is 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 acre feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be 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 April 8, 1977

Actual construction work shall begin on or before November 23, 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 23rd day of November, 1977

James E. Saxon Water Resources Director

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