

"CERTIFICATE NO. 75963"

Application No. 55749

Permit No. 42790

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to Appropriate Surface Water

I, Earl Switter and Wilma Switter
(Name of Applicant)

of Box 206, Durkee
(Mailing Address) (City)

State of Oregon, 97905 Phone No. 503-877-2321
(Zip Code) 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 Manning Creek
....., a tributary of Burnt River

2. The point of diversion is to be located 2690 ft. S and 3450 ft. E
(N. or S.) (E. or W.)
from the NW corner of Sec. 35
(Public Land Survey Corner)

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

..... being within the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of
Sec. 35 Tp. 11S R. 43 E, W. M., in the county of Baker
(N. or S.) (E. or W.)

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

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
11S	43 EWM	35	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	14 Acres

Form 690-1-0-1-77

4. The amount of water which the applicant intends to apply to beneficial use is 0.35
cubic feet per second.....
(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 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.

Concrete Dam, 2ft. high with 16in. lockable headgate thru @ 6,000 ft. of
existing ditch.

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 4-15-77.....

9. The water will be completely applied to the proposed use on or before 4-1-78.....

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Remarks: Application is for Winter use (Oct. 1 to April 1) and/or Summer use (April 1 to Oct. 1).

Earl Switzer
Signature of Applicant
Wilma Switzer

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 Water Resources Director with corrections on or before August 17, 1977

RECEIVED
JUL 14 1977

WITNESS my hand this 17th day of June, 1977
James E. Sexson Water Resources Director

By *Vestal R. Garner*
Vestal R. Garner

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 25 day of April, 1977, at 8 o'clock A.M.

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Permit to Appropriate the Public Waters of the State of 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 0.35 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 Manning Creek.

The use to which this water is to be applied is irrigation. The use allowed herein may be made any time between October 1 and March 31 when 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 3 acre feet per acre for each acre irrigated during the period from April 1 to September 30, and shall be further limited to a diversion of not to exceed 1 acre foot per acre for each acre irrigated during the period from October 1 to March 31, provided further that the right allowed herein shall not exceed 3 acre feet for each acre irrigated in any one year. The use of water during the period from October 1 to March 31, as 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 Manning Creek to provide stockwater and domestic water throughout its course during the period of use authorized herein.

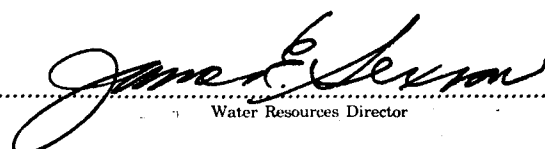
and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is April 25, 1977

Actual construction work shall begin on or before April 3, 1979 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1980

Complete application of the water to the proposed use shall be made on or before October 1, 1981

WITNESS my hand this 3rd day of April, 1978


Water Resources Director

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