

Application No. 51715

Permit No. 42935

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to Appropriate Surface Water

ASSIGNED. See Misc. Rec., Vol. 6 Page 351

I, Kenneth Wheeler (Name of Applicant)

of Rt. 1, Box 169A (Mailing Address), Halfway (City)

State of Oregon (Zip Code) 97814 Phone No. 742-5347 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 Waste water collected in ditches

, a tributary of Spring Creek

2. The point of diversion is to be located ft. (N. or S.) and ft. (E. or W.)

from the NW corner of Sec. 11, T. 8S., R. 46E (Public Land Survey Corner)

- #1 2440's 1100'E Being within the SW $\frac{1}{4}$, NW $\frac{1}{4}$
- #2 2500's 1580'E Being within the SE $\frac{1}{4}$, NW $\frac{1}{4}$
- #3 2500's 1890'E Being within the SE $\frac{1}{4}$, NW $\frac{1}{4}$
- #4 2440's 2500'E Being within the SE $\frac{1}{4}$, NW $\frac{1}{4}$
- #5 3340's 840'E Being within the NW $\frac{1}{4}$, SW $\frac{1}{4}$

..... being within the $\frac{1}{4}$ of the $\frac{1}{4}$ of

Sec. 11 Tp. 8S (N. or S.) R. 46E (E. or W.), W. M., in the county of Baker

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
8S	46E	11	SW $\frac{1}{4}$, NW $\frac{1}{4}$	Primary 2.6 Suppl.
8S	46E	11	SE $\frac{1}{4}$, NW $\frac{1}{4}$	6.7
8S	46E	11	NE $\frac{1}{4}$, SW $\frac{1}{4}$	19 20
8S	46E	11	NW $\frac{1}{4}$, SW $\frac{1}{4}$	15.4

4. The amount of water which the applicant intends to apply to beneficial use is 1.6.....
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 and Supplemental.....
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.

Water to be collected in two Waste Water Collection ditches, and
diverted there from in about five diversion ditches and then
used for flood irrigation.

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

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

8. Construction work will be completed on or before October 1, 1978.....

9. The water will be completely applied to the proposed use on or before October 1, 1979.....

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Remarks: The lands listed as primary irrigation may have some water rights established under the Pine Creek Decree under the name of Fritz Koopman (Cert. NO. 10361) but maps available do not adequately locate land irrigated under Cert. NO. 10361. This application is to supersede application No. 51715 as per your 1/6/78 Letter.

THIS APPLICATION PREPARED BY:

V. Kent Sealer

FROM INFORMATION FURNISHED BY THE APPLICANT.

Kenneth E. Wheeler
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 6th day of March, 1978, 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 exceed1.6..... cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, fromwaste water.....

The use to which this water is to be applied is.....irrigation and 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 4½ 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 also be limited to the water available at the present point of diversion, and shall not carry with it the right to compel the continuance of the waste water,


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 7, 1974.....

Actual construction work shall begin on or before..... May 3, 1979..... and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19..80.....

Complete application of the water to the proposed use shall be made on or before October 1, 19..81.....

WITNESS my hand this3rd..... day of..... March....., 19..78.....


Water Resources Director

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