

Application No. 54726

Permit No. 2 43101

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to Appropriate Surface Water

RECEIVED SEP 12 1977

I, Billy R. and Doris M. Leggett (Name of Applicant)

WATER RESOURCES DEPT SALEM, OREGON Haines (City)

of RFD # 1 (Mailing Address)

State of Oregon, Phone No. 856-3476 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 Warm Springs Creek

flows from Fisher's Hot Spr., a tributary of

2. The point of diversion is to be located 6.60 ft. S and 20 ft. W

from the NW corner of NE 1/4 NE 1/4 Sec. 10 (Public Land Survey Corner)

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

being within the NW 1/4 NE 1/4 1/4 of the 1/4 of

Sec. 10 Tp. 7 S R. 38 E, W. M., in the county of Baker

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. Rows include data for Township 7 S, Range 38 E, Sections 10 and 3, with acreage and stock values.

4. The amount of water which the applicant intends to apply to beneficial use is ~~1.50~~ .50

cubic feet per second.....from Warm Springs Creek

(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 is40cfs for irrigation and

.....10 cfs for stock water.....

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 is diverted from Warm Springs Creek into natural flow
watercourse through headgate constructed of rocks. Natural flow
watercourse averages 2' width and 20" depth

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.....

See Remarks

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Remarks:.....

The ditch which flows from Fisher's Hot Springs is known as Warm Springs Creek. We wish to file on the water (.50) cfs that diverts from Warm Springs Creek in a rock type Headgate located 660' S and 20' W from the NW corner of the NE $\frac{1}{4}$ of Sec. 10.

This water flows in a natural drainage area and has been used on our land for irrigation and stock water for fifty or more years. It supplements a 1877 adjudicated water right from North Powder River which reaches the property through Lower Bulger Ditch.

Dois M. Leggett
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 30 day of August, 1976, at 9:00 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 0.41 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 Warm Springs Creek,

The use to which this water is to be applied is supplemental irrigation and stock; being 0.40 c.f.s. for irrigation and 0.01 c.f.s. for stock.

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 4 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 August 30, 1976

Actual construction work shall begin on or before June 22, 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 22nd day of June, 1978

James E. Severson
Water Resources Director

BY 5