

Application No. 57870

Permit No. 43511

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to Appropriate Surface Water

I, Robert F. & Martha J. Fessler  
 of 11796 Monitor-McKee Rd. NE, Woodburn  
 State of Oregon, 97071, Phone No. 634-2410 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 Butte Creek  
 a tributary of Pudding River

2. The point of diversion is to be located 60 ft. S and 2040 ft. W  
 from the C/4 corner of Section 5  
 (Public Land Survey Corner)

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

being within the NW 1/4 of the SW 1/4 of  
 Sec. 5 Tp. 6S R. 1E, W. M., in the county of Marion

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

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
6S	1E	5	SW NE	4.4 primary
			SW NE	30.0 Supp. 1
			NE NW	3.0 primary
			NW NW	5.8 primary
			Totals	13.2 primary
				30.0 Supp. 1
				43.2

4. The amount of water which the applicant intends to apply to beneficial use is 0.54

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 of 13.2 ac.

& Supplemental Irrigation of 30<sup>±</sup> ac.

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.

40 hp electric motor & Centrifugal  
pump -  
6" buried mainline -  
portable sprinkler system

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

7. Construction work will begin on or before has begun

8. Construction work will be completed on or before complete

9. The water will be completely applied to the proposed use on or before 10/1/80

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Remarks: all though requested as supplemental we hereby request the use of Butte Creek water first on the land under GR Cert 171 in the interest of conserving the ground water resource

Robert F. Fessler  
Signature of Applicant  
x Robert F. Fessler

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 .....

RECEIVED

AUG 29 1978

WATER RESOURCES DEPT.  
SALEM, OREGON

THIS APPLICATION PREPARED BY:

Lee Hanner

FROM INFORMATION FURNISHED BY THE APPLICANT.

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

29<sup>th</sup> day of August, 1978, at 1:15 o'clock P.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 0.54 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 Butte Creek.

The use to which this water is to be applied is irrigation and supplemental irrigation.

If for irrigation, this appropriation shall be limited to 1/80th 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 2 1/2 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, provided further that although declared herein to be for supplemental irrigation the right allowed may in the interest of conserving the ground water supplies, be exercised at times when water is available in the ground water supply provided that the total quantity diverted from all sources of supply does 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 29, 1978

Actual construction work shall begin on or before October 13, 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 13th day of October, 1978

James E. Larson  
Water Resources Director