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"CERTIFICATE NO. 60460

44155

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APR 2 4 1974
STATE ENGINEER
SALEM, OREGON

*APPLICATION FOR PERMIT

WATER RESOURCES DEPT.
SALEM, OREGON

To Appropriate the Public Waters of the State of Oregon

I, Kenneth M. Errend (Name of applicant) of 1908 Jupiter Way (Mailing address) Bend (City) Oregon (State) 97850 (Zip Code), do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is Powder River (Name of stream), a tributary of Snake River

2. The amount of water which the applicant intends to apply to beneficial use is 0.425 & 0.231 cubic feet per second (If water is to be used from more than one source, give quantity from each)

3. The use to which the water is to be applied is Irrigation (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 950 ft. S (N. or S.) and 1925 ft. W (E. or W.) from the NE corner of Sec. 19, being within the NW 1/4 NE 1/4 of Sec. 19, T 10 S, R 40 E, W.M. (Section or subdivision)

The point of diversion is located 30 ft. N. and 580 E. from the SW corner of Section 17

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary) being within the NW 1/4 SW 1/4 & SW 1/4 SW 1/4 of Sec. 17, Tp. 10 S. (Give smallest legal subdivision) (N. or S.) R. 40 E., W. M., in the county of Baker (E. or W.)

5. The PIPELINE (Main ditch, canal or pipe line) to be 3200 ft. & 800 ft. (Miles or feet) in length, terminating in the NW 1/4 SE 1/4 & NW 1/4 NW 1/4 of Sec. 17 & 20, Tp. 10 S. (Smallest legal subdivision) (N. or S.) R. 40 E., W. M., the proposed location being shown throughout on the accompanying map. (E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description diversion a. Cornell 2 1/2 W, Impeller A 3509pm (Size and type of pump) diversion a. Hor. Cent. 25HP, 350 gpm @ 180' TDH (Size and type of engine or motor to be used, total head water is to be lifted, etc.) diversion b. Hor. Cent. 30HP, 450 gpm @ 185' TDH

LMC
2-25-79
P.O. Box 111, Bend, Oregon 97701
Phone: Powder River

* A different form of application is provided where storage works are contemplated. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon 97310.

Canal System or Pipe Line—

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(c) Length of pipe, ~~3200~~ 800 ft.; size at intake, ~~6" x 6"~~ in.; size at ~~1200~~ ft. from intake ~~5"~~ in.; size at place of use ~~6, 5 x 4~~ in.; difference in elevation between intake and place of use, ~~60~~ 70 ft. Is grade uniform? ~~yes~~ Estimated capacity, ~~0.80~~ 1.0 sec. ft.

8. Location of area to be irrigated, or place of use

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
10 S.	40 E.	17	NE 1/4 SW 1/4	16.5
10 S.	40 E.	17	NW 1/4 SE 1/4	17.5
10 S.	40 E.	19	NE 1/4 NE 1/4	3.0
10 S.	40 E.	20	NW 1/4 NW 1/4	15.5
				52.5

(If more space required, attach separate sheet)

(a) Character of soil *Moderately deep, undulating, dark brown loams*
 (b) Kind of crops raised *grain & alfalfa*

Power or Mining Purposes—

9. (a) Total amount of power to be developed theoretical horsepower.

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized feet.
(Head)

(d) The nature of the works by means of which the power is to be developed

(e) Such works to be located in of Sec.
(Legal subdivision)

Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(f) Is water to be returned to any stream?
(Yes or No)

(g) If so, name stream and locate point of return
 Sec., Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

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10. (a) To supply the city of
..... County, having a present population of
(Name of) and an estimated population of in 19.....

(b) If for domestic use state number of families to be supplied

(Answer questions 11, 12, 13, and 14 in all cases)

- 11. Estimated cost of proposed works, \$... 11,400
- 12. Construction work will begin on or before June 1, 1973
- 13. Construction work will be completed on or before July 1, 1974
- 14. The water will be completely applied to the proposed use on or before July 1, 1973

Kenneth M. Ervud
(Signature of applicant)

Remarks: This application is being made to appropriate Powder River water to use in conjunction with existing water right Cert. C-4118 and Baker Irrigation District water from Mason Dam.

As can be noted on the map enclosed, Diversion a is situated in Powder River where approximately 18.0 acres of existing water right will be irrigated with the 34.0 acres applied for in this permit. Diversion b is situated in the Smith Ditch ^{we} and will irrigate approximately 52.0 acres of existing water right in addition to the 18.5 acres applied for in this permit.

Accompanying this application is also an application for transfer of water right and points of diversion from present place of use to the points of diversion outlined on the enclosed plat.

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for Correction

In order to retain its priority, this application must be returned to the ~~State Engineer~~ ^{Water Resources Director}, with corrections on or before March 19, 19 79.

WITNESS my hand this 17th day of January, 19 79.

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WATER RESOURCES DEPT.
SALEM, OREGON

JAMES E. SEKSON
Director STATE ENGINEER
By James M. Carver
ASSISTANT

PERMIT

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS 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 0.66 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 Powder River.

The use to which this water is to be applied is 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 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year.

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 24, 1974

Actual construction work shall begin on or before June 20, 1980 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1981.

Complete application of the water to the proposed use shall be made on or before October 1, 1982.

WITNESS my hand this 20th day of June, 1979

Charles K. ...
Deputy Water Resources Director

Application No. 51869
Permit No. 44155

PERMIT

TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 24th day of April, 1979, at 2:00 o'clock P. M.

Returned to applicant:

Approved: _____ of _____
Recorded in book No. _____ of _____
Permits on page _____

STATE ENGINEER

Drainage Basin No. 2 page 26B
Fees _____