

STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIVED

JUL 22 1980

WATER RESOURCES DEPT SALEM, OREGON

AMENDED

Application for Permit to Appropriate Surface Water

I, ARTHUR E. POWELL (Name of Applicant)

of Thief Valley Road, North Powder (Mailing Address) (City)

State of Oregon, Phone No. 898-2395 (Zip Code) do hereby

make application for a permit to appropriate the following described waters of the State of Oregon: (unnamed creek (known in the vicinity as Spring Creek) located in the SW 1/4 of Sec. 26 and NE 1/4 of

1. The source of the proposed appropriation is Sec. 35, Twp. 6 S., R. 39 E., W.M., a tributary of Powder River

2. The point of diversion is to be located 903 ft. S. and 1300 ft. W. from the NE corner of Sec. 35, Twp. 6 S., R. 39 E., W.M. as one diversion point from the creek; a second point of diversion from the creek is located 900 ft. S. and 1684 ft. W. from the NE corner of Sec. 35, Twp. 6 S., R. 39 E., W.M.,

the second point being within the NE the first point being within the NW 1/4 of the NE 1/4 of Sec. 35 Tp. 6 S., R. 39 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. Contains data for sections 35 and 36.

4. The amount of water which the applicant intends to apply to beneficial use is 1.5

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.

The diversion at point B on the map which is attached to this application and by this reference made a part of it, consists of a 20 foot metal pipe, 18 inches in diameter, buried in the creek bed, which is regulated with wooden boards.

The diversion at point A on the map also consists of a 20 foot metal pipe, 18 inches in diameter, also regulated with wooden boards.

If for domestic use state number of families to be supplied

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

8. Construction work will be completed on or before completed

9. The water will be completely applied to the proposed use on or before..... August 15, 1980

Application No. 59892 (Amended)

Permit No. 45052

Remarks: The unnamed creek intersects a drain ditch at a point approximately 900 feet S. and 1684 feet W. from the NE corner of Sec. 35, Twp. 6 S., R. 39 E., W.M., which ditch was improved and extended N. of the creek for use as a lateral to carry water to the NW corner of the 40 acres under irrigation. The diversion at point A on the map is from the creek to a lateral ditch irrigating part of the 40 acres irrigated in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 35 and the approximately 20 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36 that is intended to be a supplemental right and use to the prior right now existing in that quarter section. The stream flow increases substantially during the irrigation season due to seepage and return flow from the surrounding irrigated acreage creating sufficient stream flow to supply the water right requested.

Alfred C. Vaughan
of Attorneys for Applicant

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

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before October 3, 1980

WITNESS my hand this 6 day of August, 1980

James E. Sexson Water Resources Director

By *Donald R. Buell*

Donald R. Buell

RECEIVED
AUG 12 1980
WATER RESOURCES DEPT
SALEM, OREGON

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

19th day of March, 1980, at 8:00 o'clock A.M.

Application No. 59892

Permit No. 45052

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Permit No. 45052

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 1.5 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 an unnamed stream

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 3 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,

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 19, 1980

Actual construction work shall begin on or before September 19, 1981 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1982

Complete application of the water to the proposed use shall be made on or before October 1, 1983

WITNESS my hand this 19th day of September, 1980

[Signature]
Water Resources Director

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