

Application No. 59400

Permit No. 45212

STATE OF OREGON WATER RESOURCES DEPARTMENT RECEIVED

Application for Permit to Appropriate Surface Water OCT - 5 1979

WATER RESOURCES DEPT SALEM, OREGON

I, Norman Butler (Name of Applicant)

of Route 1 Box 144B Baker (Mailing Address) (City)

State of Oregon (Zip Code) Phone No. 525-3064 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 unnamed drain ditch.

Two pts. of diversion: 3 a tributary of Powder River N and 2425 E

2. The point of diversion is to be located and 3 ft. N and 1250 ft. E (N. or S.) (E. or W.)

from the SW corner of the NE 1/4 of Section 33, T. 8 S., R. 39 E., W.M. (Public Land Survey Corner)

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

being within the SW 1/4 of the NE 1/4 of Sec. 33 Tp. 8 S R. 39 E, W.M., in the county of Baker (N. or S.) (E. or W.)

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 Section 33, Township 8 S, Range 39 E, with sub-sections NW 1/4, NE 1/4, SE 1/4, SW 1/4 and corresponding acreage values like 38.0, 40, 39.5, 40, and a total of 157.5.

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

Headbox is approximately 2 ft x 2 ft. dimension. Use of water by  
gravity flow and by pumping.

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

7. Construction work will begin on or before..... Is complete

8. Construction work will be completed on or before..... Complete

9. The water will be completely applied to the proposed use on or before..... 1974 is date of first  
use of this water.

45212

Application No. 59420.....

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Remarks: This water is developed by draining the NE $\frac{1}{4}$  of Section 33 by 7 drain tiles which empty into the drain ditch shown on the accompanying map. The drain water will be used on the NE $\frac{1}{4}$  by pumping and by gravity flow. The undersigned owns the drain ditch shown on map accompanying this application. The owner of the SE $\frac{1}{4}$  of Sec. 33 is hereby granted access and right of way from the ditch across the 3 feet of NE $\frac{1}{4}$  of Sec. 33 for his use of this water in the SE $\frac{1}{4}$  of Sec. 33.

*Norman Butler*  
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.....correction and completion.....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before .....June 3,....., 19.80.....

WITNESS my hand this .....2nd..... day of.....April....., 19.80.....

James E. Sexton ..... Water Resources Director

By *Wayne J. Overcash*  
Wayne J. Overcash.....

RECEIVED  
JUN 1 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 5<sup>th</sup> day of October, 19.79, at 8:00 o'clock A.M.

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Application No. 59400

Permit No. 45212

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 3.94 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 unnamed drain ditch

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

If for irrigation, this appropriation shall be limited to 1/40 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 also be limited to the water available at the proposed point of diversion, and shall not carry with it the right to compel the continuance of the waste water; 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 October 5, 1979

Actual construction work shall begin on or before November 26, 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 26th day of November, 1980

[Signature]
Water Resources Director