

STATE OF OREGON WATER RESOURCES DEPARTMENT RECEIVED
Application for Permit to Appropriate Surface Water FEB 25 1980

I, Timothy E. & Janice M. Heater (Name of Applicant) WATER RESOURCES DEPT SALEM, OREGON

of Rt. 1 Box 113 (Mailing Address), Richland (City)
State of Oregon 97670 (Zip Code) Phone No. 893-3904 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 Eagle Creek, Dry Gulch Creek, and Cover Creek, a tributary of Powder River

2. The point of diversion is to be located 1250 ft. N and 2480 ft. E for Eagle Creek

from the SW corner of Sec. 33, T. 8 S., R. 45 E. W. 1/4 being within the 3/4 SW of said Sec. 33.

(West Ditch) The P.O.D. from Dry Gulch Creek is located 725' E, 50' N from the SW corner.
(East Ditch) The P.O.D. from Dry Gulch Creek is located 2210' N. & 1060' E. from the SW corner of Sec. 21, T. 9 S., R. 45 E. W. 1/4 being within the SW 1/4 NW 1/4 of said Sec. 21.
The P.O.D. from Cover Creek is located 630' N & 770' E. from the SW corner of Sec. 21, T. 9 S., R. 45 E. W. 1/4 being within the SW 1/4 of the SW 1/4 of

Sec. 21 Tp. 9S. R. 45E, 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 Eagle Creek through the Waterbury Allen Ditch, Dry Gulch Creek through Private Ditches, and Cover Creek through a Private Ditch.

4. The amount of water which the applicant intends to apply to beneficial use is 0.33 cfs from Eagle Cr.

0.26 (Lt. Jan 23, 1981 24)

cubic feet per second 0.26 cfs from Dry Gulch Creek and 0.19 cfs from Gover 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 is Irrigation and 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.

P.O.D. from Eagle Creek is the headgate of the Waterbury Allen Ditch. The headgate is 12 ft. long, 6 ft. wide, 8 ft. high, concrete. Diversion dam is rock and buried log. The ditch is 6 1/2 miles long from head to property to be irrigated. Water distribution is flood irrigation by a series of small take outs.

The Dry Gulch Creek East Ditch diversion dam is 8 ft. wide board with gravel and rock backfill. The headgate is a 10 inch pipe which dumps water into a private ditch on the property to be irrigated, said private ditch being approximately 800 feet long, 2 ft. wide, and 1 ft. deep, all on owners property. Water distribution is flood irrigation by a series of small take outs.

The Gover Creek diversion dam is a 3 feet wide, 1 1/2 ft. high, 3 ft. long wood headbox. This diverts water into a 2 foot wide, 1 1/2 ft. high, 3 ft. long headgate, then into a private ditch, all on the owners property to be irrigated, said ditch being 3 feet wide, 1 1/2 ft. deep and approximately 850 feet long. Water distribution is flood irrigation by a series of small take outs.

The Dry Gulch Creek West Ditch diversion dam is 8 ft. wide board. Headgate is 8 ft. wide wood flume and the 20" x 6" pipe to a 2' wide private ditch on owners property, said ditch being approximately 950 ft. long and 1 1/2 ft. deep. Water distribution is by flood irrigation by a series of small take outs.

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

9. The water will be completely applied to the proposed use on or before October 1, 1980

Application No. 59820

Permit No. 45438

Remarks: It is intended at this time to use Eagle Creek as the primary source for the 5.5 acres served by both Eagle Creek and Dry Gulch Creek with any deficiency being made up from Dry Gulch Creek. ~~The applicants herein may choose at the time of final proof to have Dry Gulch Creek as the primary source for all or part of this 5.5 acres if Dry Gulch Creek can irrigate this land more efficiently than Eagle Creek.~~

Timothy E. Heater
Signature of Applicant
Janice M. Heater

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 Sept. 23, 19. 80

WITNESS my hand this 25 day of July, 19. 80

James E. Sexson Water Resources Director

By *Wayne J. Overcash*
Wayne J. Overcash

RECEIVED
AUG 18 1980
WATER RESOURCES DEPT
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 25th day of February, 19. 80, at 8:00 o'clock A.M.

Application No. 59820

Permit No. 45438

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 0.65 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 Eagle Creek, Dry Gulch Creek and Gover Creek, being 0.33 cfs from Eagle Creek, 0.26 cfs from Dry Gulch Creek to make up any deficiency in the supply of water from Eagle Creek and 0.19 cfs from Gover Creek.

The use to which this water is to be applied is primary irrigation from Eagle Creek and supplemental irrigation from Dry Gulch Creek and Gover Creek.

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 February 25, 1980 for 0.33 cfs from Eagle Creek, 0.16 cfs from Dry Gulch Creek and 0.19 cfs from Gover Creek & January 23, 1981 for 0.1 cfs from Dry Gulch Creek. Actual construction work shall begin on or before February 10, 1982 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 10th day of February, 1981

James E. Sumner
Water Resources Director