

"CERTIFICATE NO. 67684"

WOLF 1981 A21

Application No. 61129

Permit No. 46002

**RECEIVED**

**STATE OF OREGON WATER RESOURCES DEPARTMENT**

JAN 2 1981

**Application for Permit to appropriate Surface Water**  
WATER RESOURCES DEPT  
SALEM, OREGON

I, John C. and Joyce A. Lagler  
(Name of Applicant)

of Star Rte. 2, Box 15141 Highway 29, Burns  
(Mailing Address) (City)

State of Oregon, 97720 Phone No. .... do hereby  
(Zip Code)

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is Rock Creek Reservoir  
(additional stored water), a tributary of Malheur Lake

2. The point of diversion is ~~to be~~ located 272 ft. N. and 1255 ft. E.  
(N. or S.) (E. or W.)  
from the SW corner of Section 16, T. 22 S., R. 33 E., W.M.  
(Public Land Survey Corner)

Also located as N 77° 46' E, 1284.0' from said corner  
(If there is more than one point of diversion, each must be described)

being within the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of  
Sec. 16 Tp. 22 S. R. 33 E., W.M., in the county of Harney  
(N. or S.) (E. or W.)

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

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
See existing application # 24227, permit # 44659 with map attachment by Paul Revis, July 1950.				
22 S	33 E	20	NE $\frac{1}{4}$ NE $\frac{1}{4}$	17.0
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	25.0
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	38.0
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	38.0
		21	NW $\frac{1}{4}$ NW $\frac{1}{4}$	29.6
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	16.2
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	11.0
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	7.6

4. The amount of water which the applicant intends to apply to beneficial use is .....  
630 (see letter received 6-17-81)  
cubic feet per second. 700 ac-ft (existing permits allows 372 ac-ft of storage.  
(If water is to be used from more than one source, give quantity from each)

supplemental

5. The use to which the water is to be applied is <sup>v</sup> 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.

Present Rock Ck. dam and reservoir constructed in 1950. plans & specifications by Paul Revis. Proposed improvements include:.....

1. Relocation of existing spillway around the South end of dam. Present spillway is through the South end of dike. Original plans by Paul Revis show spillway to be located at this proposed location.....

2. Filling in existing spillway inlet with embankment work. This will raise the water level of the dam approx. 9 feet and increase storage from 372 ac-ft to 700 ac-ft.....

3. Rock rip-rap existing dike and spillway inlet and outlet for erosion protection. As erosion protection from wind & wave action is not considered critical; and the availability of a local rock source is not known; the rip-rap along the present dike is planned to be done over a period of several years, and as an annual maintenance item.....

4. Irrigation system (existing) consists of 10", 8" & 6" mainlines with 5" & 4" wheel lines supplied by pumps pumping out of irrigation ditches for approximately 560 acres. Remaining acreage to be flood irrigated from existing ditches and levees.

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

7. Construction work will begin on or before Schedules A & B - June 1, 1981.....

8. Construction work will be completed on or before Schedules A & B - Nov. 30, 1981.....

9. The water will be completely applied to the proposed use on or before March 1982.....

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THURS

Attached Sheet

Application for Permit to Appropriate Surface Water  
John & Joyce Lagler

Item 3. Location of area to be irrigated (cont'd):

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>List <math>\frac{1}{4}</math> <math>\frac{1}{4}</math> of Section</u>	<u>Acreage</u>
22 S	33 E	28	NW $\frac{1}{4}$ NW $\frac{1}{4}$	27.0
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	36.0
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	15.0
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	22.0
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	36.2
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	29.5
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	4.0	
		29	NE $\frac{1}{4}$ NE $\frac{1}{4}$	38.0
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	38.0
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	21.4
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	35.6
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	38.0
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	33.2
		31	SE $\frac{1}{4}$ SE $\frac{1}{4}$	37.4
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	37.4
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	38.0
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	38.0
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	12.0
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	20.0
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	28.0
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	37.0
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	37.0
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	31.0
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	36.0	
		32	NE $\frac{1}{4}$ NE $\frac{1}{4}$	28.3
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	17.8
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	37.7
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	26.2
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	37.4
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	37.4
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	36.0
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	36.0
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	37.3
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	37.4
		SW $\frac{1}{4}$ SE $\frac{1}{4}$	36.0	
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	38.0	
Total .....				1351.0

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Remarks:.....  
.....  
.....  
.....  
.....  
.....  
.....

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

*John C. Legler*  
Signature of Applicant  
*Joyce H. Legler*

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 ..... November 12....., 19 81.....

WITNESS my hand this ..... 11th ..... day of..... September....., 19 81.....

James E. Sexson..... Water Resources Director

By *Donald R. Buell*  
DONALD R. BUELL

RECEIVED  
SEP 23 1981  
WATER RESOURCES DEPT  
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 8 day of January, 19 81, at 11:00 o'clock A.M.

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TCUS

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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 258 acre-feet / stored water only 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 Rock Creek Reservoir to be enlarged under Application R-61128, Permit R- 8305

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

If for irrigation, this appropriation shall be limited to ----- 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year from storage from reservoir to be enlarged under Permit R- 8305 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 January 8, 1981

Actual construction work shall begin on or before October 7, 1982 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1983

Complete application of the water to the proposed use shall be made on or before October 1, 1984

WITNESS my hand this 7th day of October, 1981

*James E. Larson*  
Water Resources Director

R/L/A