

Name Fish Lake Improvement District
 By _____
 Address Halfway, Oregon 97834

Application No. 56802
 Permit No. 45376
 Certificate No. 58685

Stream Index, Page No. 9-24C

SOO FILE R:56801

Date filed 27 October 1977
 Priority October 27 1977
 Action suspended until OK cert

Return to applicant _____
 Date of approval JAN 26 1981

CONSTRUCTION
 Date for beginning JAN 26 1982
 Date for completion OCT 1 1982
 Extended to _____

Date for application of water OCT 1 1983
 Extended to _____

PROSECUTION OF WORK

Form "A" filed _____
 Form "B" filed _____
 Form "C" filed completed

FINAL PROOF
SEP 30 1988

Blank mailed _____
 Proof received _____
 Date certificate issued DEC 9 1988

FEEES PAID

Date	Amount	Receipt No.
10-27-77	263.10	64715

Cert. Fee _____

FEEES REFUNDED

Date	Amount	Check No.
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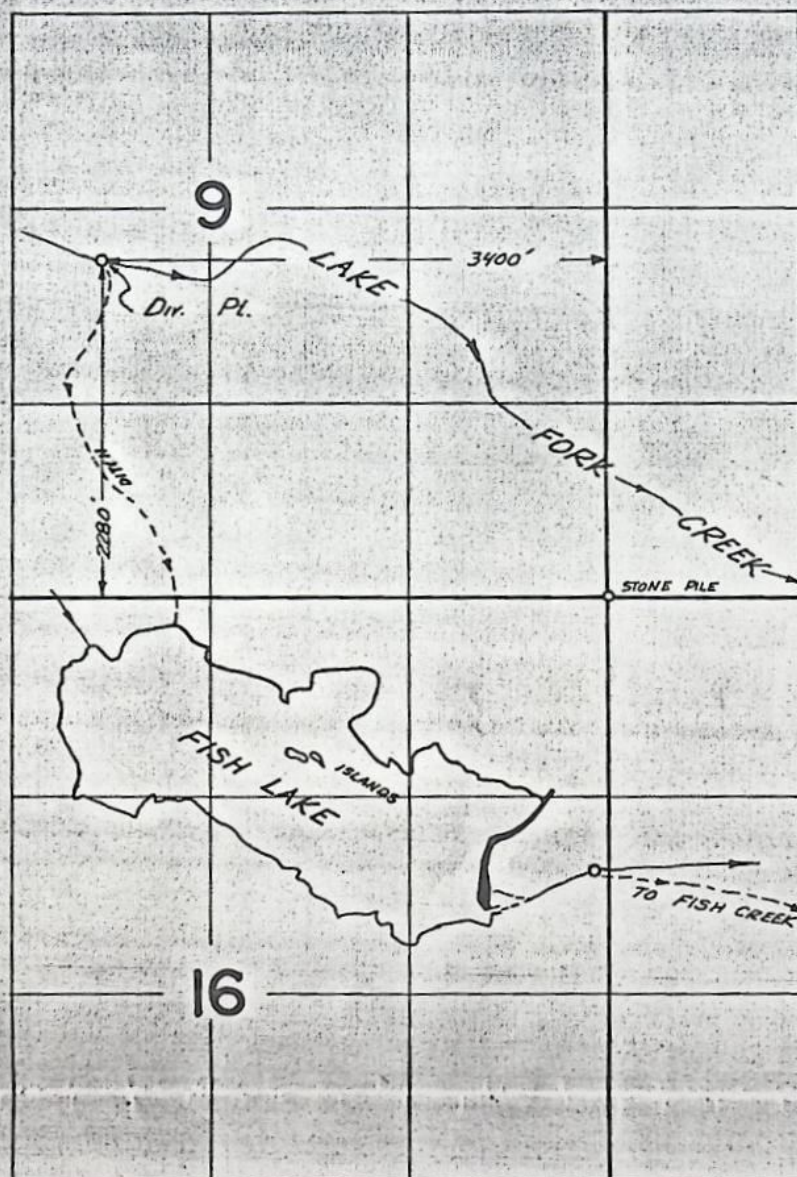
ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

Application No. R-56801, 56802
Permit No. R 8213 45376

T.6S. R.46E.W.M.

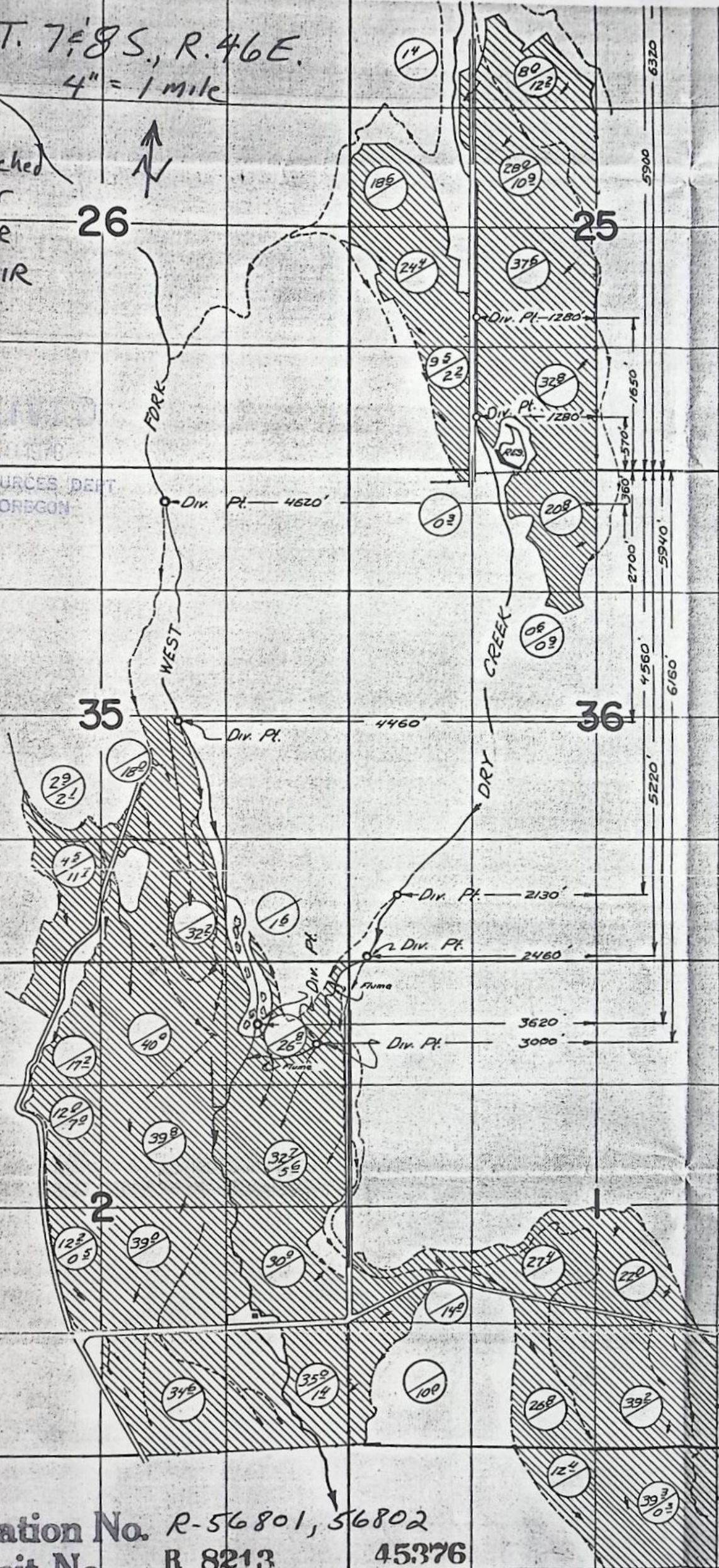


~~T.7S. R.46E.W.M.~~

T. 7⁸S., R. 46E.
4" = 1 mile

See attached
sheet for
D.P. for
RESERVOIR

WATER RESOURCES DEPT.
SALEM, OREGON



T. 78S.
T. 8S.

Application No. R-56801, 56802
Permit No. R 8213 45376



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

November 8, 1990

Donald B. Martin, President
Fish Lake Improvement District
Route 1, Box 239
Halfway, OR 97834

Reference: Files R-56801 and 56802

Dear Mr. Martin:

We are in receipt of your letter concerning certificates on the above files, permit numbers R-8213 and 45376. Apparently we did not have your current address and subsequently the post office returned your mail.

Enclosed are copies of the certificates 58684 and 58685. If you have any further questions please don't hesitate to call.

Sincerely,

Janet L. Halladey
Office Specialist

Enclosures

A#R56801
P#R8213
C#58684

Nov. 2, 1990

RECEIVED

NOV - 7 1990

WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources Dept.
Salem, Oregon 97310

Dear Sir:

We understand that a Certificate
has been issued for permit #R 56801,
from talking to the Water Master in Baker,
Oregon.

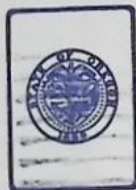
We have not received our copy of
Certificate. Could you please send
this to us.

Thank you,
Donald B. Martin; President
Fish Lake Improvement Dist.
Halfway, Oregon 97834

Fish Lake Impr. District
Rt. 1 Box 239
Halfway, Or. 97834



Water Resources Department
Mill Creek Office Park
555 13th Street N.E.
Salem, Oregon 97310



Water Resources Department

3850 PORTLAND ROAD NE
SALEM, OREGON 97310

opened in envoir

CONSERVE WATER

FOR

OREGONS FUTURE



PRESORTED
FIRST CLASS



U.S. POSTAGE

0.21



REASON CHECKED
Unclaimed _____
Address unknown _____
Insufficient Address _____
No such street _____
No such office in state _____
Do not re-mail in this envelope _____

application # 56802

not box 910

FISH LAKE IMPROVEMENT DIST

HALFWAY, OR 97834



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

9/30/88

FISH LAKE IMPROVEMENT DIST

HALFWAY, OR 97834

NOTICE

Reference: Application S 56802, Permit S 45376

The enclosed map and proposed certificate of water right defines the extent water was used within the terms of your permit. This information is based upon a survey and inspection made by a representative of this department.

A certificate of water right will be mailed to you if you agree with the information. A response is not required.

If you do not agree with these findings, Oregon Administrative Rule 690-11-110 allows the permittee or landowner 60 days from the date of this letter to petition the department to reconsider the contents of the proposed certificate.

STATE OF OREGON

COUNTY OF BAKER

PROPOSED CERTIFICATE OF WATER RIGHT

FISH LAKE IMPROVEMENT DISTRICT,
of ROUTE 1, BOX 176, HALFWAY, OREGON 97834, has a right to the use of
the waters of FISH LAKE RESERVOIR ENLARGED UNDER PERMIT R-8213, a
tributary of NORTH PINE CREEK, for the purpose of SUPPLEMENTAL
IRRIGATION OF 806.4 ACRES.

The right has been perfected under Permit 45376. The date of priority
is OCTOBER 27, 1977. The right is limited to not more than 78.0 ACRE-
FEET STORED WATER ONLY or its equivalent in case of rotation, measured
at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NE 1/4, SECTION 16, T 6 S, R 46 E, W.M.

The amount of water used for irrigation, together with the amount
secured under any other right existing for the same lands, shall be
limited to a diversion of not to exceed 4.0 acre-feet per acre for
each acre irrigated during the irrigation season of each year.

The right shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

A description of the place of use under the right, and to which such
right is appurtenant, is as follows:

NE 1/4 NW 1/4	20.2 ACRES
NW 1/4 NW 1/4	1.4 ACRES
SW 1/4 NW 1/4	18.6 ACRES
SE 1/4 NW 1/4	38.9 ACRES
NE 1/4 SW 1/4	37.6 ACRES
NW 1/4 SW 1/4	24.4 ACRES
SW 1/4 SW 1/4	11.7 ACRES
SE 1/4 SW 1/4	32.8 ACRES

SECTION 25

NE 1/4 SW 1/4	5.0 ACRES
SE 1/4 SW 1/4	16.2 ACRES
NW 1/4 SE 1/4	18.0 ACRES
SW 1/4 SE 1/4	32.2 ACRES
SE 1/4 SE 1/4	1.6 ACRES

SECTION 35

SEE NEXT PAGE

NE 1/4 NW 1/4	20.8 ACRES
NW 1/4 NW 1/4	0.3 ACRE
SE 1/4 NW 1/4	1.5 ACRES

SECTION 36

TOWNSHIP 7 SOUTH, RANGE 46 EAST, W.M.

NE 1/4 SW 1/4	27.4 ACRES
NW 1/4 SW 1/4	14.0 ACRES
SW 1/4 SW 1/4	10.0 ACRES
SE 1/4 SW 1/4	26.8 ACRES
NW 1/4 SE 1/4	22.0 ACRES
SW 1/4 SE 1/4	39.2 ACRES

SECTION 1

NE 1/4 NE 1/4	26.8 ACRES
NW 1/4 NE 1/4	40.0 ACRES
SW 1/4 NE 1/4	39.8 ACRES
SE 1/4 NE 1/4	38.3 ACRES
NE 1/4 NW 1/4	17.2 ACRES
SE 1/4 NW 1/4	19.0 ACRES
NE 1/4 SW 1/4	12.7 ACRES
NE 1/4 SE 1/4	30.0 ACRES
NW 1/4 SE 1/4	39.0 ACRES
SW 1/4 SE 1/4	34.6 ACRES
SE 1/4 SE 1/4	36.4 ACRES

SECTION 2

NW 1/4 NE 1/4	39.6 ACRES
NE 1/4 NW 1/4	12.4 ACRES

SECTION 12

TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

STATE OF OREGON

COUNTY OF BAKER

PROPOSED CERTIFICATE OF WATER RIGHT

FISH LAKE IMPROVEMENT DISTRICT,
of ROUTE 1, BOX 176, HALFWAY, OREGON 97834, has a right to the use of
the waters of FISH LAKE RESERVOIR ENLARGED UNDER PERMIT R-8213, a
tributary of NORTH PINE CREEK, for the purpose of SUPPLEMENTAL
IRRIGATION OF 806.4 ACRES.

The right has been perfected under Permit 45376. The date of priority
is OCTOBER 27, 1977. The right is limited to not more than 78.0 ACRE-
FEET STORED WATER ONLY or its equivalent in case of rotation, measured
at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NE 1/4, SECTION 16, T 6 S, R 46 E, W.M.

The amount of water used for irrigation, together with the amount
secured under any other right existing for the same lands, shall be
limited to a diversion of not to exceed 4.0 acre-feet per acre for
each acre irrigated during the irrigation season of each year.

The right shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

A description of the place of use under the right, and to which such
right is appurtenant, is as follows:

NE 1/4 NW 1/4	20.2 ACRES
NW 1/4 NW 1/4	1.4 ACRES
SW 1/4 NW 1/4	18.6 ACRES
SE 1/4 NW 1/4	38.9 ACRES
NE 1/4 SW 1/4	37.6 ACRES
NW 1/4 SW 1/4	24.4 ACRES
SW 1/4 SW 1/4	11.7 ACRES
SE 1/4 SW 1/4	32.8 ACRES

SECTION 25

NE 1/4 SW 1/4	5.0 ACRES
SE 1/4 SW 1/4	16.2 ACRES
NW 1/4 SE 1/4	18.0 ACRES
SW 1/4 SE 1/4	32.2 ACRES
SE 1/4 SE 1/4	1.6 ACRES

SECTION 35

SEE NEXT PAGE

NE 1/4 NW 1/4	20.8 ACRES
NW 1/4 NW 1/4	0.3 ACRE
SE 1/4 NW 1/4	1.5 ACRES

SECTION 36

TOWNSHIP 7 SOUTH, RANGE 46 EAST, W.M.

NE 1/4 SW 1/4	27.4 ACRES
NW 1/4 SW 1/4	14.0 ACRES
SW 1/4 SW 1/4	10.0 ACRES
SE 1/4 SW 1/4	26.8 ACRES
NW 1/4 SE 1/4	22.0 ACRES
SW 1/4 SE 1/4	39.2 ACRES

SECTION 1

NE 1/4 NE 1/4	26.8 ACRES
NW 1/4 NE 1/4	40.0 ACRES
SW 1/4 NE 1/4	39.8 ACRES
SE 1/4 NE 1/4	38.3 ACRES
NE 1/4 NW 1/4	17.2 ACRES
SE 1/4 NW 1/4	19.0 ACRES
NE 1/4 SW 1/4	12.7 ACRES
NE 1/4 SE 1/4	30.0 ACRES
NW 1/4 SE 1/4	39.0 ACRES
SW 1/4 SE 1/4	34.6 ACRES
SE 1/4 SE 1/4	36.4 ACRES

SECTION 2

NW 1/4 NE 1/4	39.6 ACRES
NE 1/4 NW 1/4	12.4 ACRES

SECTION 12

TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

Permit No. 45376

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to Appropriate Surface Water

I, FISH LAKE IMPROVEMENT DISTRICT
(Name of Applicant)

of....., HALFWAY
(Mailing Address) (City)
State of OREGON, 97834 Phone No. 2503-742-2945 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 FISH LAKE RESERVOIR

....., a tributary of PINE CREEK

2. The point of diversion is to be located 2280 ft. N and 3400 ft. W
(N. or S.) (E. or W.)
from the SE corner of SECTION 9
(Public Land Survey Corner)

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

being within the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of
Sec. 9 Tp. 6 S R. 46 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.

806 ⁴ Acres

[illegible]

Application No. 56802

Permit No. 45376

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 78.0 acre feet of 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 Fish Lake Reservoir to be enlarged under Application R-56801, Permit R- 8213.

The use to which this water is to be applied is 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 4 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.

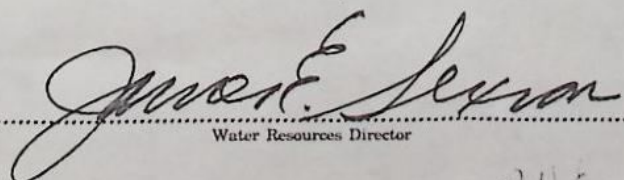
and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is October 27, 1977

Actual construction work shall begin on or before January 26, 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 26th day of January, 1981


Water Resources Director

Application No. R-56801, 56802
Permit No. R 8213 45376

T.6S. R.46E.W.M.



~~T.7S. R.46E.W.M.~~

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This Is To Certify, That FISH LAKE IMPROVEMENT DISTRICT

506.4
 of Route 1, Box 221, Halfway, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Lake Fork Creek, Fish Creek, Dry Creek and West Dry Creek and 299 acre feet from* a tributary of Pine Creek for the purpose of irrigation of 215.9 acres and supplemental irrigation of 590.5 acres under Permit No. 20175 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from February 8, 1951

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 5.3 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, T. 6 S., R. 46 E., W. M.; NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12; NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36; T. 7 S., R. 46 E., W. M.; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, T. 8 S., R. 46 E., W. M. Diversion points located below:

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed $4\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under permit number R-1116;

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Primary	Supplemental	
12.2 acres	8.0 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
	1.4 acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$
	18.6 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$
11.9 acres	27.0 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$
	37.6 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
	24.4 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$
2.2 acres	9.5 acres	SW $\frac{1}{4}$ SW $\frac{1}{4}$
	32.8 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$
	Section 25	
2.1 acres	2.9 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
11.7 acres	4.5 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$
18.0 acres		NW $\frac{1}{4}$ SE $\frac{1}{4}$
32.2 acres		SW $\frac{1}{4}$ SE $\frac{1}{4}$
1.6 acres		SE $\frac{1}{4}$ SE $\frac{1}{4}$
	Section 35	

Primary	Supplemental	
0.3 acre	20.8 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
0.9 acre	0.6 acre	NW $\frac{1}{4}$ NW $\frac{1}{4}$
	Section 36	SE $\frac{1}{4}$ NW $\frac{1}{4}$
	T. 7 S., R. 46 E., W. M.	
14.0 acres	27.4 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
10.0 acres		NW $\frac{1}{4}$ SW $\frac{1}{4}$
	26.8 acres	SW $\frac{1}{4}$ SW $\frac{1}{4}$
	22.0 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$
	39.2 acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$
	Section 1	SW $\frac{1}{4}$ SE $\frac{1}{4}$
26.8 acres		NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres	39.8 acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$
5.6 acres	32.7 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$
17.2 acres		SE $\frac{1}{4}$ NE $\frac{1}{4}$
7.0 acres	12.0 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
0.5 acre	12.2 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$
	30.0 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
	39.0 acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$
	34.6 acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$
1.4 acres	35.0 acres	SW $\frac{1}{4}$ SE $\frac{1}{4}$
	Section 2	SE $\frac{1}{4}$ SE $\frac{1}{4}$
0.3 acre	39.3 acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$
	12.4 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
	Section 12	
	T. 8 S., R. 46 E., W. M.	

* Fish Lake Reservoir constructed under Application No. R-25508, Permit No. R-1116.

Diversion points located: Lake Fork Creek - 2280 feet North and 3400 feet West from SE Corner, Section 9, T. 6 S., R. 46 E., W. M. Fish Creek - 4570 feet North and 1930 feet East from W $\frac{1}{4}$ Corner, Section 13, T. 7 S., R. 46 E., W. M. Dry Creek - 9720 feet North and 830 feet West; 6320 feet North and 1590 feet West; 5900 feet North and 1620 feet West; 1650 feet North and 1280 feet West; 570 feet North and 1280 feet West; 4560 feet South and 2130 feet West; 5220 feet South and 2460 feet West; 6160 feet South and 3000 feet West; all from the N $\frac{1}{4}$ Corner, Section 36, T. 7 S., R. 46 E., W. M. West Fork Dry Creek - 360 feet South and 4620 feet West; 2700 feet South and 4460 feet West; 5940 feet South and 3620 feet West; all from the N $\frac{1}{4}$ Corner, Section 36, T. 7 S., R. 46 E., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 31 day of October, 1968.

CHRIS L. WHEELER

State Engineer

January 29, 1981

Fish Lake Improvement District
Halfway, Oregon, 97834

R-56801
56802

R-8213 and 45376



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-2907

R-56801
56802

December 19, 1980

Don Martin
Fish Lake Improvement District
Route 1, Box 176
Halfway, OR 97834

Dear Sir:

I finally had a chance to plot the latest seepage readings for Fish Lake, and have found them to be within the predicted limits, with the exception of one reading for Weir No. 3.

I have asked our Water Rights Division to proceed with issuance of the permit for the additional 78 acre feet of storage. The maximum storage level will be limited to elevation 6643, one foot above the permanent spillway crest. The permit will stipulate that the flashboards will be installed no earlier than June 1 of each year and removed at the end of the irrigation season each year. As we discussed, it is essential that the boards not be installed until after the peak of the snowmelt runoff has occurred, to prevent excessive additional head on the embankment and foundation. Also, the areas of leakage should be inspected each year at full pool for any evidence of muddy flow or piping of the embankment or foundation materials. In this event the reservoir level should be lowered immediately.

Sincerely,

Gary Oberholtzer
Engineer

cc: Jay Joseph
Jim Scott, Halfway Ranger District
Kent Searles, Watermaster



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-2907

R-56801
56802

May 13, 1979

Don Martin
Route 1, Box 176
Halfway, Oregon 97834

Dear Sir:

For your information I have enclosed copies of correspondence with the Forest Service concerning your proposal to raise the level of Fish Lake.

Please send your records of weir flow and reservoir level. The location of each measuring point should be plotted on the map which I have enclosed. If an adequate relationship between pool level and leakage can be established from the measurements, the proposed increase in storage will be approved on a temporary basis, with a stipulation for daily inspection of the dam during filling of the additional storage.

Sincerely,

GARY OBERHOLTZER
Engineer

GLO:cla

cc: Kent Searles, Watermaster, District #8



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-2907

R-56801

56802

May 15, 1979

Dennis C. Holthus, District Ranger
U.S.F.S., Pine Ranger District
Halfway, Oregon 97834

Dear Sir:

Your letter of April 6 accurately describes my concerns regarding the proposal to raise the level of Fish Lake. An additional point which you did not cover is that the spillway flashboard would be installed in late spring, after the time when peak runoff would be expected, and removed at the end of each irrigation season, thus providing full spillway capacity during the winter and early spring.

I have requested that Mr. Martin provide me with the weir measurements recorded to date, so I may review them to determine if an adequate relationship between reservoir elevation and leakage rate has been established. The time required to detect increased leakage resulting from increased pool elevation is of course a function of the permeability of the foundation and abutments. Based upon the conditions which I noted during my inspection, I feel that any increased leakage would become apparent in a relatively short time, probably a matter of days.

Sincerely,

GARY OBERHOLTZER
Engineer

GLO:cla

cc: Don Martin
Kent Searles, Watermaster

UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE
Pine Ranger District
Halfway, Oregon 97834

RECEIVED

APR 19 1979

WATER RESOURCES DEPT
SALEM, OREGON

2720
April 6, 1979



Gary Oberholtzer
State Engineer
555 13th St. N.E.
Salem, OR 97310

Dear Gary;

Jim Scott spoke with you on the telephone a few weeks ago regarding Don Martin's proposal to raise the Fish Lake Dam by installation of a one foot high splash board.

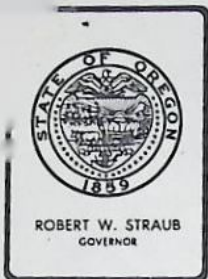
Jim reports the following to me based on your conversation:

- 1) due to small leaks and/or seep in the dam you were reluctant to approve the change in reservoir capacity without obtaining additional information upon which to base your decision
- 2) you required that small weirs be installed to measure the flow from various seeps during last season
- 3) you approve of a temporary raising of the reservoir impoundment by installation of the splash board (after the danger of high flows has past) in order to gather data from the weirs in order to develop the reservoir height:leakage correlation
- 4) measurement at the weir locations should begin as soon as possible this season
- 5) You have visited the site and feel the existing spillway is adequate even with splash board installed

An initial "quick look" at the proposal by a few of our specialists did not identify any major concerns, however, an Environmental Assessment must be conducted which considers the proposal and alternatives to it. It appears that information needed to properly assess the proposal can be gathered by permitting a temporary raising of the water level and concurrent measurement of leakage. I am in the process of gathering information for specialist interpretation in order to determine if temporary raising of the lake level would result in any unacceptable effects.

In addition to any comments you may have regarding what Jim has reported, could you give me an estimate of the time the additional one foot of water would have to be retained in the reservoir to allow reliable leakage measurements.

DENNIS C. HOLTHUS
District Ranger



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

File No. R-56801
56802

May 15, 1978

Fish Lake Improvement District
Halfway, OR 97834

Dear Sirs:

We have not received any further information concerning your applications R-56801 and 56802 to increase the storage of Fish Lake.

If you intend to go ahead with this project, you or your engineer should contact Mr. Oberholtzer of this office so that the proper plans and specifications can be submitted and the site inspection can be arranged after they have been submitted.

If you have further questions, you can contact myself or Mr. Oberholtzer.

Sincerely

Donald R. Buell
Water Rights Engineer

DRB:cah

378-8508

File No. R-56801
56802

January 30, 1978

Fish Lake Improvement District
Halfway, OR 97834

Dear Sirs:

Thank you for the return of the original application forms, the new forms which you have signed, and the maps to accompany applications R-56801 and 56802.

These applications are now in satisfactory form and permits can be issued upon approval of your project by our engineer Mr. Oberholtzer.

Sincerely

Donald R. Buell
Water Rights Engineer

DRB:cah

378-8508

File No. R-56801
56802

January 13, 1978

Fish Lake Improvement District
Halfway, OR 97834

Dear Sirs:

We have received your application for a permit to increase the size of Fish Lake Reservoir and store an additional 78 acre feet of water from Lake Fork Creek for supplemental irrigation and the fee of \$30.00 for which our receipt No. 64714 is enclosed. This application has been filed and assigned No. R-56801.

We have also received your application for a permit to appropriate the additional stored water for the supplemental irrigation of 806.4 acres and the fee of \$263.10 for which our receipt No. 64715 is enclosed. This application has been filed and assigned No. 56802.

While compliance with the requirements set down by Gary Oberholtzer, our office, in his letter of December 9, 1977 are the primary considerations for approval of these permits, there are some corrections on the application forms that need to be made in the meantime.

In the spring of 1977, we changed to a smaller less complex application form. All applications received since June of 1977 must be on this new form. I have copied the information off of your old forms on to the new forms and made the following corrections based on your prior permits No. R-1116 and 20175. The location of the point of diversion should be Lake Fork Creek rather than the dam on the reservoir, and in the list of acreages you listed 21.1 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 36, Township 7 South, Range 46 East. The certificate on the older right lists this 21.1 acres as 20.8 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and 0.3 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 36.

I am sending the new forms with the above corrections to you. You should review them carefully and if you agree with the information on them, add a phone number by which you can be reached and sign the form in the spaces provided. I am also sending prints of portions of the final proof map for permits R-1116 and 20175 which can be used as the application maps. I am also enclosing the original applications for your reference.

Fish Lake Improvement District

2

January 13, 1978

They are endorsed so that they along with the signed new applications and maps must be received in this office on or before March 13, 1978 to retain the priority date.

Sincerely

Donald R. Buell
Water Rights Engineer

DRB:cah

378-2907

D-56801

56802

December 9, 1977

Donald B. Martin
Fish Lake Improvement District
Halfway, OR 97834

Dear Sir:

I have reviewed your proposal for increasing the storage level of Fish Lake. Referring to the letter of A. H. Petska to Jay H. Joseph dated February 9, 1977 (copy enclosed), and reviewing the files for this project, I find that seepage of water through the abutments and foundation has caused some concern in the past.

Your proposal for increased storage can be approved under the following conditions:

- 1) Submission of engineering plans showing the work to be done.
- 2) Verification of spillway adequacy with flashboards in place.
- 3) Evaluation of the effect of the increased storage level on foundation and abutment seepage.

This information could be provided by the Soil Conservation Service or by a private engineer of your choice. Items 1 and 2 can be easily prepared from the plans submitted by the Soil Conservation Service when the dam was reconstructed. We have these plans on file and can provide a copy if you are unable to locate this information locally.

Evaluation of the effect on seepage may require the installation of weirs or other measuring devices. If seepage was found to increase to a point where the safety of the dam was adversely affected, it would be necessary to discontinue the increased storage.

I will schedule a site inspection for this project, and will be available to meet with you and your engineer at that time. I assume that due to the lateness of the season, it will be necessary to delay this inspection until spring.

Sincerely,

GARY OBERHOLTZER
Engineer

GO:mjh
Enc.

cc: Kent Searles, Watermaster

RECEIVED

OCT 24 1977

*APPLICATION FOR PERMIT

WATER RESOURCES DEPT
SALEM, OREGON

To Appropriate the Public Waters of the State of Oregon

I, FISH LAKE IMPROVEMENT DISTRICT
(Name of applicant)
of Halfway, Oregon
(Mailing address) (City)
State of Oregon, 97834, do hereby make application for a permit to appropriate the
(Zip Code)
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 November 27, 1950

Halfway, Baker County, Oregon

Storage only from

1. The source of the proposed appropriation is Fish Lake Reservoir located on the Fish
(Name of stream)
Lake branch of Lake Fork Creek and, a tributary of Pine Creek

2. The amount of water which the applicant intends to apply to beneficial use is 78 acre feet
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 Supplemental irrigation.
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of The water is to be delivered through the established system of the
(Section or subdivision)
district. The outlet through the dam is located at station 8-47 on center
line.

S 25° 02' W, 2146.1'± from the Section Corner common to Sections

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

9, 10, 15, and 16 (See Cert. No. 35414) Tp. 6S, R 44 E.W.M.

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the W¹/₂ SE¹/₄ NE¹/₄ of Sec. 16, Tp. 6 S
(Give smallest legal subdivision) (N. or S.)

R. 44 E, W. M., in the county of Baker
(E. or W.) Cert. #

5. The system is the same as allowed under 35415 to be
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the of Sec., Tp.
(Smallest legal subdivision) (N. or S.)

R., 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 17.0 max. feet, length on top 902 feet, length at bottom
approx. 150 feet; material to be used and character of construction See Cert. #35414
(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
(Size and type of pump)

(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

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) See Cert. No. 35415 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, ft.; size at intake, in.; size at ft.
from intake in.; size at place of use in.; difference in elevation between
intake and place of use, ft. Is grade uniform? Estimated capacity,
..... sec. ft.

8. Location of area to be irrigated, or place of use Same as Cert. No. 35415

-See attached sheet-

[illegible]

(If more space required, attach separate sheet)

(a) Character of soil loam

(b) Kind of crops raised pasture, hay, grain, row crops

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.

(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)

Tr. _____, *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*

Fish Lake

806 ⁴/₁₀₀ Acres

TWP	Range	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
			Supplemental															
7S	46E	25					20 ²	1 ⁴	18 ⁶	38 ²	37 ⁶	24 ⁴	11 ²	32 ⁸				
		35									5 ⁰			16 ²	18	32.2	1.6	
		36					21 ¹		1 ⁵									
8S	46E	1									27 ⁴	14	10	26 ⁸	22	39 ²		
		2	26 ⁸	40	39 ⁸	38 ³	17 ²			19 ⁰	12 ²				30	39	34 ⁶	36 ⁴
		12		39 ⁶			12 ⁴											

RECEIVED

OCT 27 1977

WATER RESOURCES DEPT
SALEM, OREGON

Municipal or Domestic Supply—

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, \$.....
12. Construction work will begin on or before March 7, 1978
13. Construction work will be completed on or before March 7, 1979
14. The water will be completely applied to the proposed use on or before March 7, 1980

Donald B. Martin
(Signature of applicant)
Fish Lake Improvement Dist.

Remarks: For map of place of use and points of diversion see Final Proof Map
of Permit No. 20175, Certificate No. 35415.

*This water is to be apportioned according to the agreement of the
Fish Lake Improvement Dist. Donald Martin-58%; Ray Wilson-26%;
Jay Joseph-16%.*

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 and completion

In order to retain its priority, this application must be returned to the State Engineer, with
corrections on or before March 13, 1978

WITNESS my hand this 13th day of January, 1978.

JAMES E. SEXSON, Director

STATE ENGINEER

By *Donald R. Buell*
DONALD R. BUELL

ASSISTANT

RECEIVED
JAN 19 1978
WATER RESOURCES DEPT
SALEM, OREGON

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 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

The use to which this water is to be applied is

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 subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is

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

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

WITNESS my hand this day of, 19.....

STATE ENGINEER

Application No. 516802

Permit No.

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 27th day of OCTOBER
1977, at 11:00 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. of

Permits on page

STATE ENGINEER

Drainage Basin No. 9 page 240

Fees 263.10