

Name ..... Bureau of Land Management  
 PO Box 700  
 By ..... Vale, OR 97918  
 Address ..  
 .....  
 .....

Date filed ..... **SEP 24 1986**  
 Priority ..... *Exp 24, 1986*  
 Action suspended until ..... **2-1-97 purge**  
 .....  
 Return to applicant .....  
 Date of approval ..... **APR 30 1990**

**CONSTRUCTION**  
 Date for beginning ..... **APR 30 1991**  
 Date for completion ..... **OCT 01 1992**  
 Extended to .....  
 .....  
 Date for application of water ..... **OCT 01 1993**  
 Extended to .....

**PROSECUTION OF WORK**

Form "A" filed .....  
 Form "B" filed .....  
 Form "C" filed .....

**FINAL PROOF**

Blank mailed .....  
 Proof received .....  
 Date certificate issued .....

Application No. <sup>Ⓢ</sup> R- **68906** <sup>E</sup>

Permit No. ~~R11218~~

Certificate No. ....

*See Files R-68880 - R-68925*

Stream Index, Page No. **10-4D**

**CANCELLED**

FEB 01 1996

Special Order Record Vol **50** Pg **54**

**FEES PAID**

Date	Amount	Receipt No.
12-29-86	300.00	51209
Cert. Fee		

<b>FEES REFUNDED</b>		
Date	Amount	Check No.

**ASSIGNMENTS**

Date	To Whom	Address	Volume	Page

**REMARKS**

*A-Form 90 sent MAY 7 1991*  
**CARD FOR B OCT 16 1992**  
*Form 101 sent 2-6-96*

April 17, 1996

MR BILL BROOKS  
BUREAU OF LAND MANAGEMENT  
PO BOX 2965  
PORTLAND, OR 97208

Mr Brooks,

The applications on attached list R 60390 through R 68913 need a C form ( complete application of water) filed reflecting the C date shown on the list.

The the two permits at the bottom of list Applications 69895 and 69897 require a Certified Water Rights Examiner final proof report because they were filed after July of 1987. The report was due 10/1/95, since that date is past it may be possible to extend the C date. If that were extended to 10/1/95 then you would have until 10/1/96 to submit the CWRE report. Otherwise the permits will be cancelled.

Enclosed are the C forms and Extension applications required.

Sincerely,



DALLAS S. MILLER  
Water Rights Specialist

DSM:



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

BLMS:

<u>APPLICATION #</u>	<u>PERMIT #</u>	<u>C DATE</u>	<u>CLAIM DUE</u>	<u>BASIN</u>
R-60390	R-11134	10-1-92	N/A	MALHEUR
R-60391	R-11135	10-1-92	N/A	MALHEUR
R-60393	R-11136	10-1-92	N/A	MALHEUR
R-60394	R-11137	10-1-92	N/A	MALHEUR
R-60395	R-11138	10-1-92	N/A	MALHEUR
R-60397	R-11139	10-1-92	N/A	MALHEUR
R-68876	R-11142	10-1-92	N/A	MALHEUR
R-68907	R-11143	10-1-92	N/A	MALHEUR
R-68908	R-11144	10-1-92	N/A	MALHEUR
R-68909	R-11145	10-1-92	N/A	MALHEUR
R-68910	R-11146	10-1-92	N/A	MALHEUR
R-68913	R-11148	10-1-92	N/A	MALHEUR
R-69895	R-11439	10-1-94*	10-1-95	JOHN DAY
R-69897	R-11441	10-1-94*	10-1-95	JOHN DAY



Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

BUREAU OF LAND MANAGEMENT  
PO BOX 700  
VALE OR 97918

4a. Article Number

8 563221

4b. Service Type

- Registered  Insured
- Certified  COD
- Express Mail  Return Receipt for Merchandise

7. Date of Delivery

1-13-91 CO

5. Signature (Addressee)

R 68906 JN WR  
*William Davis*

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

January 6, 1994

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WATER  
RESOURCES  
DEPARTMENT

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BUREAU OF LAND MANAGEMENT  
PO BOX 700  
VALE OR 97918

REFERENCE: File R-68906

According to the terms of your Permit R-11218 complete application of water was to have been made by October 1, 1993.

Complete application of water means use of the water for the beneficial purpose described in the permit to the full extent intended. (In the case of irrigation, it means beneficial irrigation of the lands the permittee intends to cover.) This may be a smaller amount than the permit allowed. If the water has been used, you should promptly submit notice describing the extent of completion as set forth in the letter accompanying your permit and also in our postal card of October 21, 1993.

ORS 537.260 provides that: "Whenever the time within which any appropriation under a permit should have been perfected has expired and the owner of the permit fails or refuses within three months thereafter to submit to the Water Resources Director proof of completion of the appropriation as required by ORS 537.230 and 537.250, the Water Resources Director may, after 60 days notice by registered mail, order the cancellation of the permit."

You are hereby notified that, unless proof of beneficial use is received within 60 days from the date of this letter, the permit may be canceled without further notice.

If you are no longer interested in the project described by the permit, we would appreciate being advised. If the property involved has been sold and any part of the project was completed, you should assign the permit to the new owner. An assignment form will be furnished upon request.

If additional information is needed, please contact the Water Rights Section.

TES:jh

CERTIFIED - RETURN RECEIPT REQUESTED



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3850 Portland Rd NE  
Salém, OR 97310  
(503) 378-3739  
FAX (503) 378-8130

STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO CONSTRUCT A RESERVOIR AND TO  
STORE FOR BENEFICIAL USE THE PUBLIC WATERS



503-473-3144

THIS PERMIT IS HEREBY ISSUED TO

BUREAU OF LAND MANAGEMENT  
PO BOX 700  
VALE, OREGON 97918

to construct BEIRMAN (5402) RESERVOIR and store the waters of AN UNNAMED STREAM, a tributary of BIRCH CREEK, for LIVESTOCK AND WILDLIFE.

This Permit is issued approving Reservoir Application R-68906. The date of priority is SEPTEMBER 24, 1986. The amount of water entitled to be stored each year is not more than 2.5 ACRE-FEET.

The dam will be located as follows:

NE 1/4 SE 1/4, SECTION 23, T 15 S, R 44 E, W.M.

The area submerged by the reservoir, when full, will be 0.4 acre and the maximum depth of water will be 13.5 feet.

The area to be submerged by the reservoir is located within:

NE 1/4 SE 1/4  
SECTION 23  
TOWNSHIP 15 SOUTH, RANGE 44 EAST, W.M.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provisions of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

Actual construction work shall begin on or before , and shall be completed on or before October 1, 1992. The reservoir shall be filled, and complete application of the stored water to the use shall be made on or before October 1, 1993.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

The permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

The storage of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued this date, .

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Water Resources Department  
William H. Young  
Director

Application R-68906      Water Resources Department  
Basin 10                      Volume 2A Birch Creek & Misc.  
R-68906.SB

PERMIT R-XXXXX  
District 9

Application No. **R68906**

Permit No. ....

STATE OF OREGON WATER RESOURCES DEPARTMENT

**RECEIVED**

Application for a Permit to Construct a Reservoir **SEP 24 1986**

WATER RESOURCES DEPT  
SALEM, OREGON

I, Bureau of Land Management  
(Name of Applicant)

of P.O. Box 700, Vale  
(Mailing Address) (City)

State of Oregon, 97918, Phone No. (503) 473-3144  
(Zip Code)

do hereby make application for a permit to construct the Beirman (5402) reservoir  
and to store the unappropriated waters of the State of Oregon, subject to existing rights.

1. The name of the stream from which the reservoir is to be filled is unnamed  
tributary to Birch Creek

2. If not in channel of a stream, state how it is to be filled.  
.....  
.....

3. The dam will be located in the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 23,  
Township 15S, Range 44E, W. M. Madison

4. The maximum height will be 19.9 feet above stream bed or ground surface at the  
centerline. The top width will be 14 feet, slope of upstream face 4:1,  
slope of downstream face 3:1, and height of dam above water line when full  
2.5 feet.

5. The dam will be (check one)  earthfill,  concrete,  flashboard,  other.

If "other", give description: concrete  
.....  
.....  
.....

6. Give the location, description, and dimensions of the outlet conduit:.....  
.....

(All dams across natural stream channels must be provided with an outlet conduit, of such capacity and location to pass the normal flow of the stream at any time)

**R68906**

Application No.....

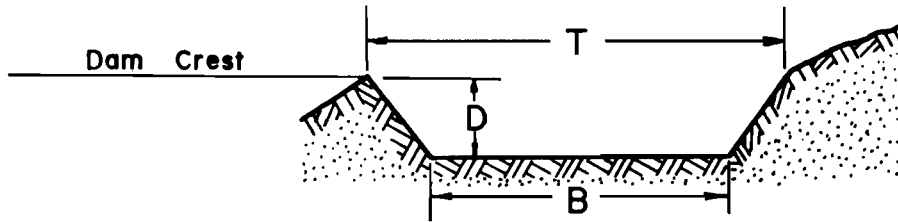
Permit No.....

7. The impounded water will be used for..... Livestock and wildlife water.....

8. The amount of water to be stored is..... 2.5..... acre feet.

9. The area submerged by the reservoir, when full, will be..... 0.4..... acres,  
and the maximum depth of water will be ..... 13.5..... feet.

10. Give the location and dimensions of the spillway around left abutement of dam.....  
(State whether over or around dam)



The bottom width of the spillway, B, will be ..... 18..... feet.

The top width of the spillway, T, will be ..... 42..... feet.

The distance between the crest of the dam and the crest of the spillway, D, will be ..... 2.5..... feet.  
(Must be at least 2 1/2 feet)

If any other type of spillway describe and give dimensions:

.....  
.....  
.....  
.....

11. Construction work will begin on or before..... June 1988.....

12. Construction work will be completed and the reservoir filled by ..... May 1989.....

Remarks:.....

.....  
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.....  
.....



.....  
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.....  
.....  
.....

*George D House*  
Signature of Applicant  
**GEORGE D. HOUSE**  
Chief, Division of Operations

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

*In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before....., 19.....*

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

..... Water Resources Director

By .....

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the  
24<sup>th</sup> day of SEPTEMBER, 19 86, at 800 o'clock A M.

Application No. R68906

Permit No. ....

Application No. ....

Permit No. ....

**Permit to Construct a Reservoir  
and Store for Beneficial Use 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 the following limitations and conditions. The right herein granted is limited to the construction of .....*

.....  
.....  
.....  
.....  
.....  
.....

*The right hereunder shall be limited to the storage of ..... acre feet.*

*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.....*

CHIEF, DIVISION OF OREGON  
GEORGE D. HENTZ

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

.....  
Water Resources Director

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

SECTION 23

# Oregon State Water Filings

**RECEIVED**

SEP 24 1986

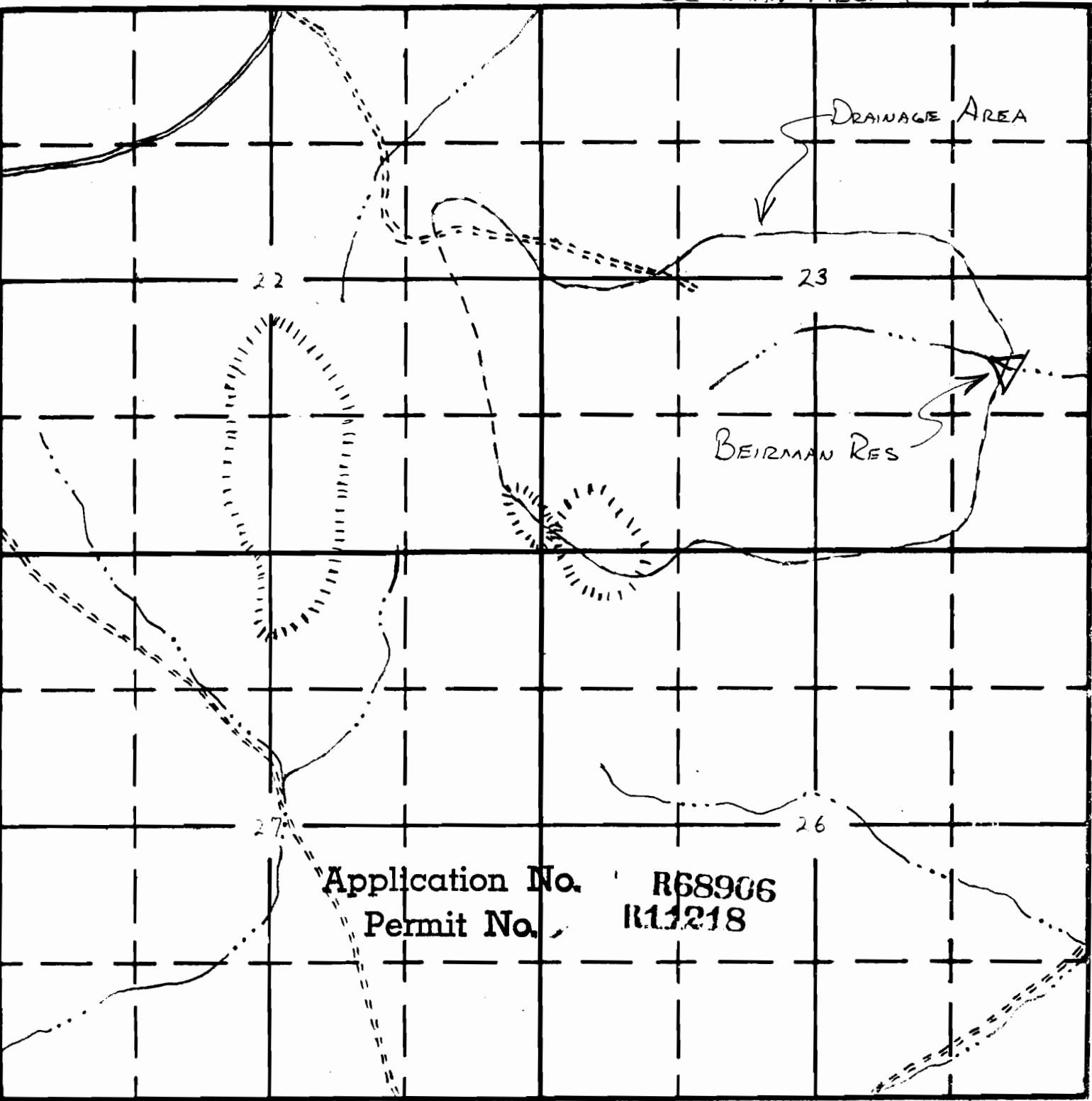
NE 1/4 of S.E. 1/4

TOWNSHIP 15 S, RANGE 44 E, W. M.

WATER RESOURCES DEPT.  
SALEM, OREGON

BEIRMAN RES. (5402)

North



Application No. R68906  
Permit No. R11218

South

APPLICATION No.  
PERMIT No.

St. Mary