Permit No. 12000

CERTIFICATE NO. 11563

* APPLICATION FOR A PERMIT

To Appropriate the Public Waters of the State of Oregon

I, State of Oregon
(Name of applicant)
of Pendleton (Postoffice), County of Umatilla,
State of Oregon, do hereby make application for a permit to appropriate the 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 .....

1. The source of the proposed appropriation is Birch Cr. (Name of stream), a tributary of Umatilla River

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

4. The point of diversion is located 2735 ft. S (N. or S.) and 1851 ft. E (E. or W.) from the NW corner of Section 19, T. 2 N., R. 32 E.W.M.
(Section or subdivision)
(If preferable, give distance and bearing to Sec. Cor.)
(If there are more than one points of diversion, each must be described. Use separate sheet if necessary)

being within the $NE\frac{1}{4}$ $SW\frac{1}{4}$ (Give smallest legal subdivision) of Sec. 19, Tp. 2 N (No. N. or S.), R. 32 E (No. E. or W.), W. M., in the county of Umatilla.

5. The ditch (Main ditch, canal or pipe line) to be $2\frac{1}{2}$ miles (No. miles or feet) in length, terminating in the $NW\frac{1}{4}$ $SE\frac{1}{4}$ (Smallest legal subdivision) of Sec. 13, Tp. 2 N (No. N. or S.), R. 31 E (No. E. or W.), W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the ditch, canal or other works is The Embysk Ditch

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 3 feet, length on top 18 feet, length at bottom 15 feet; material to be used and character of construction concrete (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam) with Flash-Boards

(b) Description of headgate Timber One opening (Timber, concrete, etc., number and size of openings) 24" x 24"

* A different form of application is provided where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

CANAL SYSTEM OR PIPE LINE—

8. (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) 3 *feet; width on bottom* 1.5 *feet; depth of water* 1.5 *feet; grade* variable *feet fall per one thousand feet.*

(b) At one *miles from headgate: width on top (at water line)* 2.5 *feet; width on bottom* 1.5 *feet; depth of water* 1 feet; *grade* variable *feet fall per one thousand feet.*

(c) Length of pipe, appr. 60 *ft.; size at intake,* 36 *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?* no *Estimated capacity,* 3 *sec. ft.*

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR IRRIGATION—

9. The land to be irrigated has a total area of 20.1 *acres, located in each smallest legal subdivision, as follows:*

Township	Range	Section	Forty-acre Tract	Number Acres to be Irrigated
2 N	31 E	13	SW¼ NE¼	0.40
			NE¼ SE¼	7.40
			NW¼ SE¼	8.1
			SE¼ SE¼	4.2

(If more space required, attach separate sheet)

(a) Character of soil Sandy loam

(b) Kind of crops raised Alfalfa

POWER OR MINING PURPOSES—

10. (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.*
(Head)

(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)

Tp. ....., *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 .....

.....

MUNICIPAL SUPPLY—

11. To supply the city of .....

..... *County, having a present population of* .....
(Name of)

and an estimated population of ..... *in 193*.....

(Answer questions 12, 13, 14 and 15 in all cases)

12. Estimated cost of proposed works, $ 200.00.....

13. Construction work will begin on or before March 1, 1933

14. Construction work will be completed on or before June 1, 1933

15. The water will be completely applied to the proposed use on or before June 15, 1933

Eastern Oregon State Hospital
(Name of applicant)

W. D. McNary, Supt.

Pendleton, Oregon

Signed in the presence of us as witnesses:

(1) F. B. Hayes (Name), Pendleton, Ore. (Address of witness)

(2) Louise Grimes (Name), Pendleton, Ore. (Address of witness)

Remarks: .....

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 .....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before ....., *193*.....

WITNESS my hand this ..... *day of* ....., *193*.....

STATE ENGINEER

Application No. 16116

Permit No. 12000

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Division No. ..... *District No.* .....

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 25th *day of* October, *193*5, *at* 8:00 *o'clock* A. *M.*

Returned to applicant:

.....

Corrected application received:

.....

Approved:

~~February 21, 1936~~

Recorded in book No. 34 *of Permits on page* 12000.

CHAS. E. STRICKLIN
STATE ENGINEER

7--3
$9.50

STATE OF OREGON, } ss.
County of Marion, }

PERMIT

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 amount of water which can be applied to beneficial use and shall not exceed 0.50 measured at the point of diversion from the stream, cubic feet per second, or its equivalent in case of rotation with other water users, from Birch Creek, tributary of Umatilla River

The use to which this water is to be applied is 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 6 acre feet per acre for each acre irrigated during the irrigation season, 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 25, 1935

Actual construction work shall begin on or before February 21, 1937 and shall thereafter be prosecuted with reasonable diligence and be completed on or before Oct. 1, 1938

Complete application of the water to the proposed use shall be made on or before Oct. 1, 1939

WITNESS my hand this 21st day of February, 1936

CHAS. E. STRICKLIN
STATE ENGINEER

Permits for power development are subject to the limitation of franchise as provided in section 5728, Oregon Laws, and the payment of annual fees as provided in section 5803, Oregon Laws.