

***APPLICATION FOR A PERMIT**

To Appropriate the Public Waters of the State of Oregon

I, William Ellenberger (Name of applicant)
of Pilot Rock (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 Creek (Name of stream)

, a tributary of Umatilla River

2. The amount of water which the applicant intends to apply to beneficial use is 0.47
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 900 ft. South and 200 ft. West from the SW
corner of Section 9, T. 1 S., R. 32 E., W. M.
(Section or subdivision)

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

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

being within the NE¹/₄ of the NE¹/₄ of Sec. 17, Tp. 1 S.
(Give smallest legal subdivision) (N. or S.)

R. 32 E., W. M., in the county of Umatilla
(E. or W.)

5. The Jacques, Jensen, Hemphill Ditch to be
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the NE¹/₄ of NE¹/₄ of Sec. 9, Tp. 1 S.
(Smallest legal subdivision) (N. or S.)

R. 32 E., 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 _____ feet, length on top _____ feet, length at bottom

_____ feet; material to be used and character of construction _____

Using the Dam of the Jacques, Jensen, Hemphill Ditch (Loose rock, concrete, masonry,

rock and brush, timber crib, etc., wasteway over or around dam)

A concrete dam with headgate.

(b) Description of headgate _____
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 4" Rotary Direct connected
(Size and type of pump)

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

* A different form of application is provided where storage works are contemplated.

** Applications for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

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) 5 feet; width on bottom 4 feet; depth of water 1 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, 550 ft.; size at intake, 6 in.; size at from intake in.; size at place of use 6 in.; difference in elevation between intake and place of use, approx. 15 ft. Is grade uniform? yes Estimated capacity, sec. ft.

8. Location of area to be irrigated, or place of use 27.7

Table with 5 columns: Township, Range, Section, Forty-acre Tract, Number Acres To Be Irrigated. Data includes Township 1 S., Range 32 E., Section 9, and tracts NE 1/4 of NE 1/4 (3.4 acres), NW 1/4 of NE 1/4 (14.3 acres), SW 1/4 of NE 1/4 (10.0 acres), totaling 27.7 acres.

(If more space required, attach separate sheet)

(a) Character of soil Volcanic Ash - Cement gravel subsoil

(b) Kind of crops raised Grain and Alfalfa

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. (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. (No. N. or S.), R. (No. E. or W.), W. M.

(f) Is water to be returned to any stream? (Yes or No)

(g) If so, name stream and locate point of return

, Sec. (No. N. or S.), Tp. (No. N. or S.), R. (No. E. or W.), W. M.

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

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 193_____

(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, \$ 800.00 _____
- 12. Construction work will begin on or before April 1, 1938 _____
- 13. Construction work will be completed on or before April 1, 1940 _____
- 14. The water will be completely applied to the proposed use on or before April 1, 1941 _____

William Ellenberger
(Signature of applicant)

Signed in the presence of us as witnesses:

- (1) Carl Jensen, Pilot Rock, Oregon
(Name) (Address of witness)
- (2) Leonard Stanhope, Pilot Rock, Oregon
(Name) (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. 16906

Permit No. 12666

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 27th day of May

1937, at 8:00 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

July 29, 1937

Recorded in book No. 55 of

Permits on page 12666

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 7 Page 3

Fees Paid \$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 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 0.47 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 Birch Creek,

The use to which this water is to be applied is Irrigation

not exceed

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 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year, and shall be still further limited to a diversion of 0.47 c.f.s.

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 May 27, 1937

Actual construction work shall begin on or before July 29, 1938 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1939

Complete application of the water to the proposed use shall be made on or before October 1, 1940

WITNESS my hand this 29th day of July, 1937.

CHAS. E. STRICKLIN.

STATE ENGINEER