

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Nellie M. Irby of Route 1, Baker, Oregon 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 Mill Creek, a tributary of Powder River

2. The amount of water which the applicant intends to apply to beneficial use is 4.35 cubic feet per second.

\*\*3. The use to which the water is to be applied is Irrigation

4. The point of diversion is located 65 ft. S. and 5 ft. E. from the NW corner of the SW 1/4 of the SE 1/4 of Sec. 22, T. 8 S., R. 39 E., W. M.

being within the SW 1/4 of SE 1/4 of Sec. 22, Tp. 8 S., R. 39 E., W. M., in the county of Baker

5. The main ditch and draw used as ditch to be 1.5 miles in length, terminating in the Northwest 1/4 of SW 1/4 of Sec. 28, Tp. 8 S., R. 39 E., W. M., the proposed location being shown throughout on the accompanying map.

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 concrete, headbox acts as small dam; see (b) below:

(b) Description of headgate Concrete; three openings, 4' x 8' for Mill Ck. and two 4' x 4' openings for the two ditches from Mill Ck.

(c) If water is to be pumped give general description

\*A different form of application is provided where storage works are contemplated. \*\*Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission.



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, \$... See remarks.
- 12. Construction work will begin on or before Ditto
- 13. Construction work will be completed on or before Ditto
- 14. The water will be completely applied to the proposed use on or before Ditto

Nellie M. Grby.  
(Signature of applicant)

Remarks: The existing ditch has been constructed for approximately 40 years. It is planned to widen this existing ditch to about 5' bottom except for head end  $\frac{1}{2}$  mile.

The existing right for the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 28, T. 8 S., R. 39 E., W.M., certificate recorded on page 1441, State Record of Water Right Certificates, does not allow sufficient water for the proper irrigation of this land. The supplemental application for this ground is included in this application to obtain as a supplemental filing the additional water required.

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

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before August 12, 1954.

WITNESS my hand this 12th day of July, 19 54

CHAS. E. STRICKLIN

By *Chris L. Wheeler* STATE ENGINEER  
Chris L. Wheeler, Assistant  
eh

1954

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 ~~25.5~~<sup>4.35</sup> 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 Mill Creek

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

If for irrigation, this appropriation shall be limited to 1/10 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 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands 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 July 8, 1954

Actual construction work shall begin on or before December 20, 1955 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1956

Complete application of the water to the proposed use shall be made on or before October 1, 1957

WITNESS my hand this 20th day of December, 1954

*Lewis A. Stanley*

STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Oregon Laws 1933.

Application No. 29315

Permit No. 23056

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 8th day of July, 1954, at 1:00 o'clock P. M.

Returned to applicant:

July 12, 1954

Corrected application received:

Approved:

December 20, 1954

Recorded in book No. 60 of

Permits on page 3036

LEWIS A. STANLEY

STATE ENGINEER

Drainage Basin No. 9 Page

Fees Paid \$ 30.20