

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

Maurice R. Johns and Donna Johns, William R. Johns and Mariam W. Johns, I, James R. Smith and Helen J. Smith and Lawrence L. Beamer and Athadel Beamer, co-partners dba Johns, Smith & Beamer of Athena

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 and Umatilla

a tributary of Columbia

2. The amount of water which the applicant intends to apply to beneficial use is 2

cubic feet per second from Umatilla, and 4.25 c.f.s. from Birch Creek and Umatilla

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

4. The point of diversion is located 1650 ft. S and 2640 ft. E from the N.E. corner of Sec. 14, Township 2 North, R. 31, E.W.M.

Upper Div. point from Umatilla: 625 ft. south & 660 ft. east from h.w. corner, Sec. 18. T2N, R32E, W4M and being within NW 1/4, Sec. 18. Lower point of div. within SW 1/4, Sec. 14, T2N, R31E being within the Birch Creek; SW 1/4 NE 1/4 of Sec. 13, Tp. 2 N. R. 31 E, W. M., in the county of Umatilla

5. The Pipe line to be 2640 in length, terminating in the of Sec. 14, Tp. 2 N

R. 31, E, W. M., the proposed location being shown throughout on the accompanying map and pipe line to be 6530 feet in length terminating in Secs. 13 and 14, Tp. 2 N. Range 31, E. W. M.

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 (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)

(Umatilla Diversion)

(c) If water is to be pumped give general description 800 gallon per minute centrifugal power take off pump, 35 HP; on the Birch Creek-Umatilla diversion 2 pumps totalling 1800 gallons per minute, 1 pump to be power takeoff centrifugal pump of 800 gallons per minute and the other will be a stationary electric 1000 gallon per minute pump, 150 HP (the 800 GPM pump being utilized on the Birch Creek-Umatilla Diversion will be the same pump as used on the Umatilla Diversion)

\*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.

Amended per Applicant's letter of 3/19/64

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) ..... 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) (Umatilla Diversion) Length of pipe. 2640 ft.; size at intake. 4 in.; size at from intake. 4 in.; size at place of use. 4 in.; difference in elevation between intake and place of use. 100 ft. Is grade uniform? Yes. Estimated capacity of pipe 6530 ft.  
 (Birch Creek-Umatilla diversion, length of pipe 6530 ft; size at intake 6 inches; size at place of use 6 inches; difference in elevation 400 feet. Is grade uniform? Yes.)

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

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
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8. Location of area to be irrigated, or place of use

T. 2 N	R. 31 E	Sec. 14	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	20.0
"	"	"	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	5.6
"	"	"	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	38.4
"	"	"	SE $\frac{1}{4}$ of NE $\frac{1}{4}$	24.0
"	"	"	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	18.0
"	"	"	NE $\frac{1}{4}$ of SE $\frac{1}{4}$	28.0
"	"	13	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	32.0
"	"	"	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	34.0
"	"	"	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	8.0
"	"	"	SE $\frac{1}{4}$ of SW $\frac{1}{4}$	33.0
"	"	"	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	3.0
"	"	"	SW $\frac{1}{4}$ of SE $\frac{1}{4}$	12.0
"	"	24	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	34.0
"	"	"	SW $\frac{1}{4}$ of NW $\frac{1}{4}$	38.0
"	"	"	NE $\frac{1}{4}$ of NW $\frac{1}{4}$	35.0
"	"	"	SE $\frac{1}{4}$ of NW $\frac{1}{4}$	32.0

(If more space required, attach separate sheet)

(a) Character of soil Condon, siltloam

(b) Kind of crops raised wheat, peas, alfalfa, grass, sorghum

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. ....

Tp. ...., R. ...., 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. ...., Tp. ...., R. ...., W. M. ....

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

(i) The nature of the mines to be served .....

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, \$ 29,000.00.....

12. Construction work will begin on or before on or before April, 1, 1964. ~~XXXXXX~~

13. Construction work will be completed on or before on or before October 1, 1965.

14. The water will be completely applied to the proposed use on or before October 1, 1965

Johns, Smith & Beamer

By: .....

(Signature of applicant)

Remarks: Applicant intends to irrigate from points of diversion with movable pipe line

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 ....., 19.....

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

STATE ENGINEER

By .....

ASSISTANT

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 6.25 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 and Umatilla River, being 4.97 c.f.s. from Umatilla River and 1.28 c.f.s. from Birch Creek.

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

If for irrigation, this appropriation shall be limited to 1/40<sup>th</sup> 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 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year; and is subject to the policy program adopted by the State Water Resources Board on February 13, 1964 under ORS 536.300,

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 March 11, 1964

Actual construction work shall begin on or before March 24, 1965 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1966

Complete application of the water to the proposed use shall be made on or before October 1, 1967

WITNESS my hand this 24<sup>th</sup> day of March 1964

*Chris L. Weiler*  
STATE ENGINEER

Application No. 39630  
Permit No. 29330

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 11<sup>th</sup> day of March 1964 at 1:00 o'clock P. M.

Returned to applicant:

Approved:

March 24, 1964 of 82  
Recorded in book No. 29330  
Permits on page

CHRIS L. WEILER  
STATE ENGINEER

Drainage Basin No. 7 page 139

Fees