

**STATE ENGINEER**  
SALEM, OREGON

**APPLICATION FOR PERMIT**

# To Appropriate the Public Waters of the State of Oregon

I, EARL AND MAE PRIE (Name of applicant)

of RT. 3, BOX 309, MILTON-FREEMAN (Mailing address)

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 WASTE WATER FROM 22.31 ACRES IN THE NW 1/4 SEC. 36, T6N, R35 EMM (Name of stream), a tributary of

2. The amount of water which the applicant intends to apply to beneficial use is 0.12 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 ft. and ft. from the corner of (N. or S.) (E. or W.) (Section or subdivision)

WATER ENTERS LAND 150 FEET EAST AND 20 FEET NORTH FROM THE WEST QUARTER CORNER BETWEEN NW 1/4 AND SW 1/4 OF SECTION 36, TOWNSHIP 6 NORTH, RANGE 35 EAST W. M.

(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 S 1/4 NW 1/4 of Sec. 36, Tp. 6 N (Give smallest legal subdivision) (N. or S.)

R. 35 E, W. M., in the county of UMATILLA (E. or W.)

5. The Main Ditch to be 956 in length, terminating in the S 1/4 NW 1/4 of Sec. 36, Tp. 6 N (Main ditch, canal or pipe line) (Miles or feet) (Smallest legal subdivision) (N. or S.)

R. 35 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 (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)

(c) If water is to be pumped give general description (Size and type of pump)

(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.

\*\*Application 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.

(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, 25.0 ft.; size at intake, 15.0 in.; size at  
from intake 15 in.; size at place of use 15 in., difference in elevation between  
intake and place of use, 0.01 ft. Is grade uniform? Yes Estimated capacity,  
0.50 sec. ft.

8. Location of area to be irrigated, or place of use SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> SEC. 36, T6N, R35 E.W.M.

[illegible]

(If more space required, attach separate sheet)

(a) Character of soil .....GRV+L+Y+DAM

(b) Kind of crops raised ORCHARD HAY, GRAINS AND PASTURES

### 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. \_\_\_\_\_  
(Legal subdivision)

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

(f) Is water to be returned to any stream?

(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 .....

(Name of)

County, having a present population 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, \$ .....

12. Construction work will begin on or before .....

13. Construction work will be completed on or before .....

14. The water will be completely applied to the proposed use on or before .....

SEE Remarks

x *Carl Duke*  
 (Signature of applicant)  
*Mar Duke*

Remarks: I HAVE USED THIS WASTE WATER FOR MANY YEARS AND WISH TO ESTABLISH

A LEGAL RIGHT FOR THE USE BEFORE LOSING IT TO ANOTHER APPROPRIATOR.

This waste water comes into my place from the old Wiley Vanalyke place now known as the Clark Vanalyke place and is from the tributary of the Little Walla Walla River. It comes in thru a steel pipe under the County road.

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 November 16, 1964.  
November 30,

WITNESS my hand this 15th day of September, 1964.  
28th September

RECEIVED  
 NOV 1 1964  
 SEP 2 1964  
 STATE ENGINEER  
 HALEM, OREGON

CHRIS L. WHEELER  
STATE ENGINEER

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 0.12 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 waste water from the NW 1/4, Section 36, Township 6 North, Range 35 East, W.M.

The use to which this water is to be applied is supplemental 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 3 acre feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and shall also be limited to the water available at the proposed point of diversion, and shall not carry with it the right to compel the continuance of the waste water.

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 August 4, 1964

Actual construction work shall begin on or before January 8, 1966 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 8th day of January, 1965

*Chris L. Wheeler*

STATE ENGINEER

Application No. 40139

Permit No. 29921

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 4th day of August, 1964, at 1:00 o'clock P. M.

Returned to applicant:

Approved:

January 8, 1965

Recorded in book No. 29921

Permits on page 2

CHRIS L. WHEELER  
STATE ENGINEER

Drainage Basin No. 7 page 24D

Fees