

*APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, JAMES J. MILLER (Name of applicant)

of RT. 1 Box 28, PILOT ROCK, (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 MC KAY CREEK (Name of stream), a tributary of UMATILLA RIVER

2. The amount of water which the applicant intends to apply to beneficial use is 0.46 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 #2 5 11° 57' W 4592 ft NE corner of #2 Sec 35 #3 5 23° W 427 ft SE (Section or subdivision) SEE REMARKS

From Remarks

(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 #2 SE 1/4 SE 1/4 of Sec. 35, Tp. 1 N R. 32 E, W. M., in the county of UMATILLA (Give smallest legal subdivision) (N. or S.)

5. The PORTABLE PIPE LINE (Main ditch, canal or pipe line) to be 1 (Miles or feet) in length, terminating in the (Smallest legal subdivision) of Sec. (N. or S.)

R. (E. or W.), W. M., the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam NONE 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 NO HEADGATE PUMPING FROM A HOLE IN THE CREEK (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description WALE PUMP 4" INTAKE 3" DISCHARGE (Size and type of pump) 6 CYLINDER CHRYSLER MOTOR--GAS. (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.

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) Length of pipe, PORTABLE ft.; size at intake, in.; size at ft. from intake in.; size at place of use 4" in.; difference in elevation between intake and place of use, 15 ft. Is grade uniform? YES Estimated capacity, 500 GPM sec. ft.

8. Location of area to be irrigated, or place of use T 1 N. R 32 E. SEC. 26 & 35

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
I N	32 E	35	SE SE	5.6
"	" "	"	SW SE	13.0
"	"	"	NW SE	3.0
"	"	"	SE NE	2.3
"	"	"	NE NE	8.0
"	"	26	SE SE	5.0
				36.9

(If more space required, attach separate sheet)

(a) Character of soil MC KAY SILT LOAM

(b) Kind of crops raised GRAIN, HAY, PASTURE

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., 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

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, \$.....1200.00.....
- 12. Construction work will begin on or before ...APRIL 25, 1967.....
- 13. Construction work will be completed on or before ...JUNE 30, 1967.....
- 14. The water will be completely applied to the proposed use on or before ...Nov. 15, 1967.....

James S. Miller
(Signature of applicant)

Remarks: DIV. POINT NO. 1 WAS PUT ON THE MAP BY MR. HARRIS, BUT IS
..... LOCATED IN A DITCH THAT HAS BEEN USED BY ME FOR YEARS. THIS POINT SHOWS WHERE
..... THE PUMP WILL BE USED TO SERVE ACREAGES IN 26 & 35. THE ACTUAL DIVERSION
..... POINT FOR THIS AREA WILL BE FOUND AS DIVERSION POINT NO. 3 AS LISTED ON
..... THE ENCLOSED MAP. BEING S. 23° W. 427' FROM THE SE COR. OF SEC. 35, BEING
..... WITHIN THE NW, NW, OF SEC. 1, T. 1 S. R. 32 E., SAME AS STATE ENGINEER PERMIT
..... No. 3303. DIVERSION POINT No. 2 BEARS S. 11° 57' W., 4592' FROM THE
..... NE COR. OF SEC. 35 BEING WITHIN THE SE, SE, OF SEC. 35, T. 1 N. R. 32 E.,
..... ALL BEING LOCATED IN UMATILLA COUNTY.

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 0.46 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 McKay Creek

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 4 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year,

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 1, 1967

Actual construction work shall begin on or before December 27, 1968 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1969.

Complete application of the water to the proposed use shall be made on or before October 1, 1970.

WITNESS my hand this 27th day of December, 1967.

Chris L. Wheeler

STATE ENGINEER

pc

Application No. 43542
Permit No. 32571

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 15th day of May, 1967, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

December 27, 1967

Recorded in book No. 32571 of Permits on page

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 7 page 16F
Fees 42/05