

To appropriate the Public Waters of the State of Oregon

I, Arthur C. Nicoson and R. A. Low
(Name of applicant)
of P.O. Box 160 Pilot Rock 97868
(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 Bear Creek
(Name of stream)
a tributary of W. Birch Creek

2. The amount of water which the applicant intends to apply to beneficial use is 0.95
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 see remarks and _____ ft. _____ from the
(N. or S.) (E. or W.)
corner of _____
(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 _____ of Sec. _____, Tp. 2 S,
(Give smallest legal subdivision) (N. or S.)

R. 31 E, W. M., in the county of Umatilla
(E. or W.)

5. The portable pipe line to be _____
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the _____ of Sec. _____, Tp. _____,
(Smallest legal subdivision) (N. or S.)

R. _____, 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 sump hole in the creek
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description Portable gasoline engine and pump
(Size and type of pump)
Pumps 400 gal. p r min.
(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.

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) Length of pipe, portable ft.; size at intake, in.; size at ft. from intake in.; size at place of use in.; difference in elevation between intake and place of use, 40 ft. Is grade uniform? Yes Estimated capacity, 1.0 sec. ft.

8. Location of area to be irrigated, or place of use T2S R31E, Umatilla County

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
2 S	31 E	10	NE NE	8.5
			SE NE	12.0
			NW SE	6.4
			SE SW	5.2
		11	NW NW	6.0

(If more space required, attach separate sheet)

(a) Character of soil Silt loam

(b) Kind of crops raised Hay, pasture, row crops

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

III. (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, \$ _____

12. Construction work will begin on or before Done _____

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

14. The water will be completely applied to the proposed use on or before Oct. 1, 1971 _____

Arthur C. Nicolson
(Signature of applicant)

Remarks: _____

P.O.D. No. 1: N27° 30' W 3000', from the assumed SE cor. of sec. 10 being within the SW NE of sec. 10, T. 2 S., R. 31 E.W.M., to irrigate SE SW, NW SE., ~~SE~~ NE.

P.O.D. No. 2: S25° 0' E 500' from the assumed NW cor. of sec. 11 T. 2 S., R. 31 E.W.M., being within the NW NW of same sec. and twp., to irrigate the NE NE, ~~SE~~ of sec. 10 and the NW NW of sec. 11.

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 _____ corrections _____

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before April 21 _____, 1970.

WITNESS my hand this 20th day of February _____, 1970.

RECEIVED
APR 3 1970
STATE ENGINEER
SALEM, OREGON

CHRIS L. WHEELER
STATE ENGINEER

By *Larry W. Jebousek*
Larry W. Jebousek 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 0.48 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 Bear Creek

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

If for irrigation, this appropriation shall be limited to 1/40 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 February 13, 1970

Actual construction work shall begin on or before September 10, 1971 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1972

Complete application of the water to the proposed use shall be made on or before October 1, 1973

WITNESS my hand this 10th day of September, 1970

Chris L. Wheeler
STATE ENGINEER

Application No. 46710
Permit No. 34906

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 13th day of February, 1970, at 8:00 o'clock A. M.

Returned to applicant:

Approved: September 10, 1970

Recorded in book No. 34906 of Permits on page

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 7 page 1A
Fees \$2135

Sheet 15d