

Superceding application to file #49835

*APPLICATION FOR PERMIT ASSIGNED, See Misc. Rec. Vol. 6 Page 1010

To appropriate the Public Waters of the State of Oregon

I, MCDONALD LIVESTOCK CO.
(Name of applicant)

of 155 So. F St. LAKEVIEW
(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 APRIL 1966
State of Oregon

1. The source of the proposed appropriation is THOMAS CREEK or an UNNAMED DRAW
(Name of stream), a tributary of GOOSE LAKE or Thomas Creek

2. The amount of water which the applicant intends to apply to beneficial use is 3.8
cubic feet per second. 2.8 Thomas Cr. 1.0 Unnamed Draw
(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 A THOMAS CR.
B UNNAMED DRAW
8 450 ft. S and 30 ft. E from the NW
(N. or S.) (E. or W.)
corner of Section 23 T38S R19E W.M.
(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 A NWNW
B SWSW of Sec. 23, Tp. 38S
(Give smallest legal subdivision) (N. or S.)

R. 19E, W. M., in the county of LAKE
(E. or W.)

5. The DITCH A and Connecting Slough
DITCH B to be 1 1/2
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the A SE NE
B NE NE of Sec. 23, Tp. 38S
(Smallest legal subdivision) (N. or S.)

R. 19E, 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 2 1/2 feet, length on top 16 feet, length at bottom 16 feet; material to be used and character of construction either frost & timber
(Loose rock, concrete, masonry, or a 32 ft log buried 8 ft. in the bank on each side
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate 18 inch corrugated metal pipe 40 ft. long
(Timber, concrete, etc., number and size of openings)
with screw type headgate.

(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.

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) Small V Ditch 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, 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, ft. Is grade uniform? Estimated capacity, sec. ft.

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
385	19E	14	SW SW	7.5
		23	NW NW	29.0
			NE NW	28.8
			SE NW	1.5
			NW NE	20.0
			SW NE	12.2
			NE NE	20.0
			SE NE	28.0
				147.0

(If more space required, attach separate sheet)

(a) Character of soil Loom

(b) Kind of crops raised 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

(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, \$ 1,300⁰⁰ i-tr 12-22-73

12. Construction work will begin on or before ~~July 15, 1973~~ Aug. 15, 1974

13. Construction work will be completed on or before ~~Oct. 1, 1973~~ Nov 30, 1974

14. The water will be completely applied to the proposed use on or before ~~October 15, 1973~~ Apr 1, 1975

McDonald Livestock Co. (Signature of applicant)

Remarks: ~~By John E. McDonald, President.~~

The purpose of this application is to legally appropriate waters of Thomas Creek, and an unnamed draw during the non irrigation season, during which time the bulk of run off waters drain to Goose Lake unused. Principally this period is after normal irrigation season of Oct 1 and continuing into April or May of the following year before heavy demands are needed for priority irrigation. It is my intent to divert excess waters of Thomas Creek and to take advantage of runoff from the unnamed draw by ditching and providing checks in the existing slough channels and thus provide both surface and sub irrigation to the above lands. It is my contention that by providing this early sub irrigation hay and pasture crops can be grown. I will expect to recognize all prior rights during the regular irrigation season.

STATE OF OREGON, } ss. County of Marion,

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction and completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before ~~February 19~~ June 11, 1973

WITNESS my hand this ~~19th~~ 10th day of ~~December~~ April, 1973

RECEIVED APR 13 1973 STATE ENGINEER SALEM OREGON

CHRIS L. WHEELER STATE ENGINEER By Thomas E. Shook 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 3.7 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 Thomas Creek and unnamed draw being 2.7 cfs from Thomas Creek and 1.0 cfs from unnamed draw

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 2 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 March 5, 1973

Actual construction work shall begin on or before December 28, 1974 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1975.

Complete application of the water to the proposed use shall be made on or before October 1, 1976.

WITNESS my hand this 28th day of December, 1973

Chris L. Wheeler

STATE ENGINEER

Application No. 49835
Permit No. 37149

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 5th day of March, 1973, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

December 28, 1973

Recorded in book No. 37149 of Permits on page

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 13 page 26E

Fees \$20.00