

\*Permit No. 396

# APPLICATION FOR A PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

I, Birch Creek Ditch Company  
(Name of Applicant)

of Pendleton, County of Umatilla  
(Postoffice)

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.  
May 19, 1910, Pendleton, Oregon

1. The source of the proposed appropriation is \_\_\_\_\_  
(Name of stream)

Birch Creek, Tributary Umatilla River

2. The amount of water which the applicant intends to apply to beneficial use is Three  
(3) cubic feet per second.

3. The use to which the water is to be applied is \_\_\_\_\_  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)  
Irrigation

4. The point of diversion is located N 6°50' E 276 ft. from the 1/4 Sec. Cor. bet.  
(Give distance and bearing to section corner)  
Sections 9 and 10 T 1 N R 32 E. W. M.

being within the SW 1/4 of the NW 1/4 of Sec. 10, Tp. 1 N  
(Give smallest legal subdivision) (No. N. or S.)

R. 32 E, W. M., in the County of Umatilla  
(No. E. or W.)

5. The Ditch to be about 2 1/4  
(Main ditch, canal or pipe line) miles in length, terminating in the SE 1/4 of the NW 1/4 of Sec. 33, Tp. 2 N  
(Smallest legal subdivision) (No. N. or S.)

R. 32, W. M., the proposed location being shown throughout on the accompanying map.  
(No. E. or W.)

6. The name of the ditch, canal or other works is \_\_\_\_\_  
Birch Creek Ditch Company Ditch

### Description of Works

#### Diversion Works—

7. (a) Height of dam 3 ft feet, length on top 25 feet, length at bottom 25 feet; material to be used and character of construction \_\_\_\_\_  
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

Concrete

(b) Description of headgate Timber, one opening 3 ft. wide and 2 ft high  
(Timber, concrete, etc., number and size of openings)

\*A different form of application is provided where an appropriation is to be made by the enlargement of existing works, or where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

**Canal System—**

8. (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).....5.....feet; width on bottom.....  
3.....feet; depth of water.....1.00.....feet; grade.....1.00.....feet fall per 1000 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 1000 feet.

**Fill in the Following Information Where the Water is Used for:**

**Irrigation—**

9. The land to be irrigated has a total area of.....116.8.....acres, located in each smallest legal subdivision, as follows:.....

In Sec 33 T 2 N R 32 E W. M.

(Give area of land in each smallest legal subdivision which you intend to irrigate)

The SE 1/4 of the NW 1/4 5.4 ac-res; In Section 9 in said township and range;  
the NW 1/4 of the SW 1/4 2.4 acres; the NE 1/4 of the NE 1/4 2.0 acres and in  
the NE 1/4 of the SW 1/4 28.2 acres; Sec. 10 in said township and range the  
In Sec. 3 T 1 N R 32 E W. M. NW 1/4 of the NW 1/4 9.4 acres.  
The SW 1/4 of the SW 1/4 18.7 acres; < In Sec 4 in said Township and Range  
The NW 1/4 of the NE 1/4 11.6 acres;  
the SW 1/4 of the NE 1/4 10.7 acres;  
the SE 1/4 of the NE 1/4 4.1 acres;  
the NE 1/4 of the SE 1/4 11.1 acres;  
the NW 1/4 of the SE 1/4 2.4 acres;  
the SE 1/4 of the SE 1/4 12.8 acres.

(If more space required, attach separate sheet)

**Power, Mining, Manufacturing or Transportation Purposes—**

10. (a) Total amount of power to be developed.....horsepower.

(b) Total fall to be utilized.....feet.  
(Head)

(c) The nature of the works by means of which the power is to be developed.....

(d) Such works to be located in.....of Sec. ....  
(Legal subdivision)

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

(e) Is water to be returned to any stream?.....  
(Yes or No)

(f) If so, name stream and locate point of return.....

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

(g) The use to which the power is to be applied is.....

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



Application No. 850

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PERMIT

To appropriate the public waters of the State of Oregon

Division No. 2 District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon,

on the 28 day of July

19 10, at 1:30 o'clock P M.

Returned to applicant for correction

Corrected application received

Approved

Aug 24 1910

Recorded in Book No. 1 of Permits on

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John H Lewis

\$18.84

State Engineer

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 the following limitations and conditions:

The appropriation for irrigation purposes shall be limited to one-eightieth of one cu. ft. per sec. for each acre irrigated.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed one and 100 (1.47) cubic feet per second.

Actual construction work shall begin on or before Aug 24, 1911

and shall thereafter be prosecuted with reasonable diligence and be completed on or before

Aug 24, 1912

Complete application of the water to the proposed use shall be made on or before

Aug 24, 1914

WITNESS my hand this 24th day of August, 1910

John H Lewis

State Engineer.