

Application No. 57478

Permit No. 43396

STATE OF OREGON WATER RESOURCES DEPARTMENT **RECEIVED**

Application for Permit to Appropriate Surface Water JUN 5 1978

WATER RESOURCES DEPT SALEM, OREGON

I, Jesse P. Miller (Name of Applicant)

of Route 1, The Dalles (Mailing Address) (City)

State of Oregon, 97058 Phone No. do hereby (Zip Code)

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is 2 springs, Fivemile Cr. & Reservoir a tributary of Fivemile Creek

2. The point of diversion is to be located ft. and ft. (N. or S.) (E. or W.)

from the corner of SEE SUPPLEMENTAL SHEET (Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the 1/4 of the 1/4 of Sec.          Tp.          R.         , W. M., in the county of Wasco (N. or S.) (E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated		
				5-mile	Spr. #1	Spr. #2
1 S	13 E	5	NE 1/4 NW 1/4	9.9	5.9	5.3
			NW 1/4 NW 1/4	2.2	2.2	
			SW 1/4 NW 1/4	13.6	13.6 stk.	
			SE 1/4 NW 1/4	2.2	2.0	0.2
		6	SE 1/4 NE 1/4	6.9	6.9	
				34.8		

4. The amount of water which the applicant intends to apply to beneficial use is 0.45 c.f.s.  
cubic feet per second. 5-mile - 0.44 Spring #1 - 0.39 Spring #2 - 0.07  
(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is Irrigation - 0.44 Stock - 0.01

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

7.5 H.p.

D.D. Cent.

1200' 4" alum.

5200' 3" alum.

If for domestic use state number of families to be supplied.....

7. Construction work will begin on or before 10-1-79

8. Construction work will be completed on or before 10-1-80

9. The water will be completely applied to the proposed use on or before 10-1-81

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EX-100-036004  
10-1-81  
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Five Mile Cr. #1

2. The point of diversion is to be located 1490 ft. S and 1870 ft. W  
(N. or S.) (E. or W.)

from the N $\frac{1}{2}$  corner of Section 5  
(Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of  
Sec. 5 Tp. 1 S R. 13 E, W. M., in the county of WASCO  
(N. or S.) (E. or W.)

Fivemile Cr. #2

2. The point of diversion is to be located 1980 ft. S and 3380 ft. W  
(N. or S.) (E. or W.)

from the N $\frac{1}{2}$  corner of Section 5  
(Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of  
Sec. 6 Tp. 1 S R. 13 E, W. M., in the county of WASCO  
(N. or S.) (E. or W.)

2. The point of diversion is to be located ..... ft. ..... and ..... ft. ....  
(N. or S.) (E. or W.)

from the ..... corner of .....  
(Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the .....  $\frac{1}{4}$  of the .....  $\frac{1}{4}$  of  
Sec. .... Tp. .... R. ...., W. M., in the county of .....  
(N. or S.) (E. or W.)

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SPRING # 1

2. The point of diversion is to be located ..... 1970 ..... ft. S ..... and ..... 2070 ..... ft. W .....  
(N. or S.) (E. or W.)  
from the N $\frac{1}{2}$  ..... corner of Section 5 .....  
(Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

..... being within the SW $\frac{1}{4}$  .....  $\frac{1}{4}$  of the NW .....  $\frac{1}{4}$  of  
Sec. .... 5 ..... Tp. 1 S ..... R. 13 E ..... W. M., in the county of Wasco .....  
(N. or S.) (E. or W.)

SPRING #2

2. The point of diversion is to be located ..... 1050 ..... ft. S ..... and ..... 310 ..... ft. W .....  
(N. or S.) (E. or W.)  
from the N $\frac{1}{2}$  ..... corner of Section 5 .....  
(Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

..... being within the NE .....  $\frac{1}{4}$  of the NW .....  $\frac{1}{4}$  of  
Sec. .... 5 ..... Tp. 1 S ..... R. 13 E ..... W. M., in the county of Wasco .....  
(N. or S.) (E. or W.)

Reservoir

2. The point of diversion is to be located ..... 1850 ..... ft. S ..... and ..... 1870 ..... ft. W .....  
(N. or S.) (E. or W.)  
from the N $\frac{1}{2}$  ..... corner of Section 5 .....  
(Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

..... being within the SW .....  $\frac{1}{4}$  of the NW .....  $\frac{1}{4}$  of  
Sec. .... 5 ..... Tp. 1 S ..... R. 13 E ..... W. M., in the county of WASCO .....  
(N. or S.) (E. or W.)

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Remarks:.....  
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THIS APPLICATION PREPARED BY:

John J. [Signature]  
FROM INFORMATION FURNISHED BY  
THE APPLICANT.

Signature of Applicant

Jesse P. Miller

*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 Water Resources Director with corrections on or before ....., 19.....*

WITNESS my hand this ..... day of....., 19.....

..... Water Resources Director

By .....

*This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the*  
5<sup>th</sup> day of June, 1978, at 8:00 o'clock  
A.M.

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### Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD 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 0.45 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 Fivemile Creek, two springs, and reservoir to be constructed under application No. R-57477, permit No. R-7692

The use to which this water is to be applied is irrigation, supplemental irrigation, and stock; being 0.44 c.f.s. from Fivemile Creek for irrigation of 34.8 acres, 0.39 c.f.s. from spring #1 and reservoir for supplemental irrigation of 30.61 acres, 0.07 c.f.s. from spring #2 for supplemental irrigation of 5.5 acres, and 0.01 c.f.s. from all sources for stock.

If for irrigation, this appropriation shall be limited to 1/80th 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 be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is June 5, 1978

Actual construction work shall begin on or before September 27, 1979 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1980

Complete application of the water to the proposed use shall be made on or before October 1, 1981

WITNESS my hand this 27th day of September 1978

James E. Sisson  
Water Resources Director