

Application No. 58529

Permit No. 44104

**RECEIVED**  
APR 13 1979

**STATE OF OREGON WATER RESOURCES DEPARTMENT**  
**Application for Permit to Appropriate Surface Waters**  
**WATER RESOURCES DEPT.**  
**SALEM, OREGON**

I, Mid County Cemetery Maintenance District  
(Name of Applicant)

of P.O. Box 324, John Day  
(Mailing Address) (City)

State of OR, 97845 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 an unnamed spring  
\_\_\_\_\_, a tributary of Canyon Creek

2. The point of diversion is to be located 2500 ft. N and 3150 ft. W  
(N. or S.) (E. or W.)  
from the SE corner of SW 4 SW 1/4 Sec 36  
(Public Land Survey Corner)

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

\_\_\_\_\_ being within the NW 1/4 of the SE 1/4 of  
Sec. 35 Tp. 13S R. 31E, W. M., in the county of Grant  
(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
<u>13S</u>	<u>31E</u>	<u>35</u>	<u>SE 4 SE 4</u>	<u>0?</u>

4. The amount of water which the applicant intends to apply to beneficial use is 0.02  
cubic feet per second.....  
(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

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.

See file 49615

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

7. Construction work will begin on or before .....

8. Construction work will be completed on or before .....

9. The water will be completely applied to the proposed use on or before.....completed

Application No. 58529

Permit No. 44104

Remarks: *This filing is for lands found irrigated but not included in proof made in connection with permit 34706.*

*Ray H. Brubaker*  
Signature of Applicant

*Chairman*  
Title

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

*13th* day of *April*, 19*79*, at *8:00* o'clock

*A.M.*

Application No. *58529*

Permit No. *44104*

Application No. 58529

Permit No. 44104

### 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 0.02 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 an unnamed spring.

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 5 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 April 13, 1979

Actual construction work shall begin on or before May 30, 1980 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1981

Complete application of the water to the proposed use shall be made on or before October 1, 1982

WITNESS my hand this 30th day of May, 1979

*James E. Seaman*  
Water Resources Director