

* Permit No. 4418

CERTIFICATE NO. 3262

APPLICATION FOR A PERMIT

To Appropriate the Public Waters of the State of Oregon

I, The J E Smith Livestock Company
(Name of Applicant)
Pendleton, Umatilla
(Postoffice)
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 J E Smith Livestock Co. Ditch out of
(Name of stream)
West Branch of Birch Creek
tributary of Umatilla River

2. The amount of water which the applicant intends to apply to beneficial use is
0.20
cubic feet per second.

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 S 80° 40' E 237 ft. and thence S 88° 40' E
(Give distance and bearing to section corner)
987 ft. from the 1/4 sec cor. between Sec 1 & 2 Tp. 2 S R 31 E.W.M. from ditch,
and point of diversion from West Branch Birch Creek,

being within the NW SW of Sec. 1, Tp. 2 S
(Give smallest legal subdivision)
Umatilla, State of Oregon, (No. N. or S.)

R. 31 E, W. M., in the county of
(No. E. or W.)
5. The pipe line to be 685 feet

(Main ditch, canal or pipe line)
miles in length, terminating in the SE 1/4 NW 1/4 of Sec. 1, Tp. 2 S
(Smallest legal subdivision)
(No. N. or S.)
R. 31 E, 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
J E Smith Livestock Co. Irrigation Works

DESCRIPTION OF WORKS

DIVERSION WORKS— No dam needed.

7. (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
(Timber, concrete, etc., number and size of openings)

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

CANAL SYSTEM— Water to be pumped thru a pipe

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) 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.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR:

IRRIGATION—

9. The land to be irrigated has a total area of 15.0 acres, located in each smallest legal subdivision, as follows: (Give area of land in each smallest legal subdivision which you intend to irrigate.)

15.0 acres in the SE 1/4 NW 1/4 Sec. 1 T 2 S R 31 E.W.M.

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed theoretical 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 power is to be applied is

(h) The nature of the mines to be served

MUNICIPAL SUPPLY—

11. To supply the city of
..... County, having a present population of, and an
(Name of) estimated population of in 19.....

(Answer questions 12, 13, 14 and 15 in all cases)

12. Estimated cost of proposed works, \$ 1700.00

13. Construction work will begin on or before March 1st, 1920

14. Construction work will be completed on or before March 1st, 1921

15. The water will be completely applied to the proposed use on or before
..... June 1st, 1922

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Water Board, accompany this application.

The J E Smith Livestock Company

(Name of applicant)

by A J Smith, Prest.

Signed in the presence of us as witnesses:

(1) Aubrey E Perry Pendleton, Oregon
(Name) (Address of Witness)

(2)
(Name) (Address of Witness)

Remarks: This water is to be pumped out of the ditch that takes out of the
W. Branch of Birch Creek 14 rods SW of the SW cor. of the SE 1/4 of NW 1/4 Sec. 1 T
2 S R 31 E., which ditch is owned by the J E Smith Livestock Company and is
raised to a height of 68 ft. in a distance of 685 ft.

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 correction or completion, as follows:

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before, 19.....

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

State Engineer.

Application No. 7037

Permit No. 4418

PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 30 day of January, 1920, at 1:30 o'clock P.M.

Returned to applicant for correction

Corrected application received

Approved: Feb 20 1920

Recorded in Book No. 16 of Permits, on Page 4418

Percy A Cupper State Engineer

\$5.25

STATE OF OREGON, } ss. County of Marion, }

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: If for irrigation, this appropriation shall be limited to one-eightieth of one cubic foot per second, or its equivalent, for each acre irrigated, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The right to the use of water herein granted is limited to irrigation purposes.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.19 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is January 30, 1920

Actual construction work shall begin on or before February 20, 1921 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1922

Complete application of the water to the proposed use shall be made on or before October 1, 1923

WITNESS my hand this 20th day of February, 1920 Percy A Cupper

State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Section 6633, Lord's Oregon Laws, and the payment of annual fees as provided in Chapter 213, Session Laws of 1915.