

Application No. 66611

Permit No. 45865

STATE OF OREGON WATER RESOURCES DEPARTMENT RECEIVED

Application for Permit to Appropriate Surface Water APR 29 1981

WATER RESOURCES DEPT SALEM, OREGON

I, Herschel J. McKague (Name of Applicant)

of Box 95 (Mailing Address), Pilot Rock (City)

State of Ore. 97868 (Zip Code), Phone No. 443-3241 do hereby

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

1. The source of the proposed appropriation is East Birch Creek, a tributary of Birch Creek

2. The point of diversion is to be located 249 ft N and 329 ft W from the center corner of Section 18 (Public Land Survey Corner)

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

being within the Lot 1 1/4 of the 1/4 of Sec. 18 Tp. 2 S R. 33 E, W. M., in the county of Umatilla

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

Table with 5 columns: Township, Range, Section, List 1/4 1/4 of Section, List use and/or number of acres to be irrigated. Handwritten entries include Township 25, Range 33 E, Section 18, Lot #1, and 1.5 16.

4. The amount of water which the applicant intends to apply to beneficial use is
cubic feet per second..... 22.4 GPM.
(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 Primary 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.

5 H.P. electric pump 1 1/4 in. plastic pipe

If for domestic use state number of families to be supplied

7. Construction work will begin on or before + Oct. 1, 1982

8. Construction work will be completed on or before Oct. 1, 1983

9. The water will be completely applied to the proposed use on or before Oct. 1, 1984

Application No. 61611

Permit No. 45865

Remarks: *At this time I would like to cancel my portion of permit # 12663. We are unable to utilize Pearson Creek. Land description enclosed.*

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Hershel J. O'Fagan
Signature of Applicant

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 Water Resources Director with corrections on or before..... July 22....., 19..... 81.....

WITNESS my hand this *22nd* day of *May*, 19 *81*

James E. Sexson Water Resources Director

By *Donald R. Buell*
Donald R. Buell
Water Rights Engineer

RECEIVED
JUN 8 1981
WATER RESOURCES DEPT
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

29 day of *April*, 19 *81*, at *8:00* o'clock

A.M.

Application No. *61611* Permit No. *45865*

Application No. 61611

Permit No. 45865

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 0.05 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 East Birch Creek

The use to which this water is to be applied is irrigation

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,

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 29, 1981

Actual construction work shall begin on or before August 20, 1982 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1983

Extended to Oct. 1, 1984 Complete application of the water to the proposed use shall be made on or before October 1, 1984

WITNESS my hand this 20th day of August, 1981

James E. Lewis
Water Resources Director

OK A