

*Permit No. 5614

TUESDAY MAR 2 1910

APPLICATION FOR A PERMIT CERTIFICATE NO. 7170

To appropriate the Public Waters of the State of Oregon

I, Mary Hardesty Estate, by Susan M. Kees, Admx.
(Name of Applicant)
of Freeewater, 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

1. The source of the proposed appropriation is Birch Creek
(Name of stream)
tributary of Walla Walla River

2. The amount of water which the applicant intends to apply to beneficial use is
0.32 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 75° 57' E 1538 ft. from the 1/4 corner
(Give distance and bearing to section corner)
between sections 13 & 18 on the Township line between Tp. 6 N R 35 & 36 E.

being within the NW 1/4 SW 1/4 of Sec. 18, Tp. 6 N
(Give smallest legal subdivision) (No. N. or S.)

R. 36 E, W. M., in the county of Umatilla
(No. E. or W.)

5. The main ditch to be 3/4 miles
(Main ditch, canal or pipe line)
in length, terminating in the NW 1/4 SE 1/4 of Sec. 13, Tp. 6 N
(Smallest legal subdivision) (No. N. or S.)

R. 35 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
Hardesty Ditch

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 3 feet, length on top 12 feet, length at bottom
5 feet; material to be used and character of construction
(Loose rock, concrete,

Timber box with wasteway thru dam.
masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate 2 ft. high and 2 ft. wide of timber.
(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—

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) 2 feet; width on bottom 16" feet; depth of water 0.5 feet; grade 1.0 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 25 acres, located in each smallest legal subdivision, as follows:

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

25 acres in the NW 1/4 SE 1/4 Sec. 13 T 6 N R 35 E.

(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)

....., 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, \$ 150.00

13. Construction work will begin on or before Nov. 1st, 1923.

14. Construction work will be completed on or before Nov. 1st, 1925

15. The water will be completely applied to the proposed use on or before
Nov. 1st, 1925

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

Susan M. Kees.
(Name of applicant)

Signed in the presence of us as witnesses:

(1) Aubrey E. Perry, Pendleton, Oregon.
(Name) (Address of Witness)
(2) R. R. Rotzler, Pendleton, Oreg.
(Name) (Address of Witness)

Remarks: _____

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. 8639

Permit No. 5614

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 12 day of September, 1922 at 1:30 o'clock P.M.

Returned to applicant for correction

Corrected application received

Approved:

Sept. 20, 1922

Recorded in Book No. 20 of Permits, on Page 5614.

Percy A. Cupper

1 map RS

State Engineer.

\$6.75

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: 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 herein granted is limited to the appropriation of water from Birch Creek for irrigation purposes.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.31 cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is September 12, 1922.

Actual construction work shall begin on or before September 20, 1923 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1924.

Complete application of the water to the proposed use shall be made on or before October 1, 1925. EXTENDED TO 10/1/26

WITNESS my hand this 20th day of September, 1922.

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.

This form approved by the State Water Board, March 11, 1909.