



NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, Charles B. Isaac, the holder of Application No. 591, being Reservoir Permit No. 757, issued by the State Engineer of the State of Oregon for the appropriation of 1.700 Cu. feet per second (second feet) of the waters of McKay Creek, Linn Co., in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, completely applied the water to a beneficial use, on the 1st day of June, 1912, being the time limitation as fixed in said permit or extended by the State Water Board for the complete application of water to a beneficial use.

Remarks: water was so applied on all the land except I did not completely apply it on 17 acres of the land described in said Application lying in the Western part of the NW 1/4 of SW 1/4 of Sec. 2 in T. 1 N. R. 32 E. W. 4 - and it not applied on that 17 acres yet.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of February, 1914. Pendleton, Oregon Charles B. Isaac (Signature of Applicant.)

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon.

NOTICE OF COMPLETION OF CONSTRUCTION

Form B

I, Charles B. Isaac, the holder of Application No. 591, being Reservoir Permit No. 757, issued by the State Engineer of the State of Oregon, for the appropriation of 1.700 Cu. feet per second (second feet) of the waters of McKay Creek in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, have completed the construction of the works described therein the 1st day of June, 1911, being within the time limitation as fixed in said permit or extended by the State Water Board for the completion of construction work.

Remarks: - works have full capacity as per permit. If the works have a less capacity than as described in the permit, or you have definitely abandoned your plan of irrigating any of the lands described in your permit, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of February, 1914. Pendleton, Oregon Charles B. Isaac (Signature of Applicant.)

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon. Form D should be used in reporting progress of work if more than one year has been allowed for completion.

NOTICE OF BEGINNING OF CONSTRUCTION

Form A

I, Charles B. Isaac, the holder of Application No. 591, being Reservoir Permit No. 757, issued by the State Engineer of the State of Oregon, for the appropriation of 1.700 Cu. feet per second (second feet) of the waters of McKay Creek in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, began the actual construction of the works described therein on the 1st day of April, 1910, being within the time limitation as fixed in said permit for the beginning of construction work. I employed 2 men continuously, and from 2 hours to 3 hours nearly are the time for about 2 months. The appropriator should state the manner of beginning construction work, number of men and teams employed, the amount of work completed up to continuously on head-gate, ditches, finished it up within a year though the date of this statement, and any additional information which may tend to show the beginning of work in good faith.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of February, 1914. Pendleton, Oregon Charles B. Isaac (Signature of Applicant.)

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon.

June 10, 1993

US BUREAU OF RECLAMATION  
Steven Brawley  
1150 N Curtis Road  
Boise, Idaho 83706

Reference: Cancellation of water rights inundated by McKay Reservoir in Umatilla County, Oregon.

Last winter, you began the process of canceling the water rights of record which were inundated by the waters of McKay Reservoir. You may recall, you executed many affidavits of abandonment of such water rights. We have entered the final orders canceling all or portions of water rights described by the affidavits.

Enclosed are copies of the orders of the Water Resources Director canceling the water rights evidenced by certificates 438, 2518, 2548, 2557, 2558, 2559, 2568 and 2578. Also enclosed are copies of the orders of the Water Resources Director canceling portions of the water rights evidenced by certificates 2625 and 17240. These cancellations were requested by you and result from your affidavits of abandonment of said water rights.

Since only a portion of the water rights under certificates 2625 and 17240 were canceled, we have issued certificates 68114 and 68115 in evidence of that portion of each water right not canceled. These certificates have been mailed to the watermaster to deliver to the current owner of the land each describes.

The water rights as evidenced by certificates 438, 2518, 2548, 2557, 2558, 2559, 2568, 2578, 2625 and 17240 are of no further force or effect.

If you, or others, have questions on this matter, please give me a call.

Sincerely,



Vestal R. Garner  
Senior Water Rights Specialist

Enc: Orders - Vol 47, Pages 26 through 35

CC: Tony Justice, Watermaster (with certificates)  
OWRD Data Center



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF CANCELLATION )  
OF A WATER RIGHT IN THE ) ORDER  
NAME OF CHAS. B. ISAACS )

An affidavit was received from STEVEN BRAWLEY, acting for the United States Bureau of Reclamation, the owner of certain land and the water right appurtenant to it. The water right has been abandoned and is requested to be canceled.

The abandoned water right is described by Certificate 438, State Record of Water Right Certificates. The abandoned water right is for the use of 0.78 cubic foot per second from MCKAY CREEK, a tributary of UMATILLA RIVER. The date of priority is APRIL 1, 1910. The abandoned water right is for IRRIGATION OF 54.5 ACRES, STOCK AND DOMESTIC.


A description of the place of use of the abandoned right is as follows:

NW 1/4 NW 1/4	15.0 ACRES
SW 1/4 NW 1/4	18.0 ACRES
SE 1/4 NW 1/4	2.0 ACRES
NE 1/4 SW 1/4	3.0 ACRES
NW 1/4 SW 1/4	9.0 ACRES
SW 1/4 SW 1/4	7.5 ACRES
SECTION 2	
TOWNSHIP 1 NORTH, RANGE 32 EAST, W.M.	

ORS 540.621 provides: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the commission shall enter an order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the water right described herein is canceled. It is FURTHER ORDERED that Certificate 438 is canceled.

WITNESS the signature of the Water Resources Director, affixed JANUARY 13, 1993.

  
\_\_\_\_\_  
Martha O. Pagel

Recorded in Special Order Volume 47, Page 26

OFFICE OF

UMATILLA COUNTY SURVEYOR

PENDLETON, OREGON

Jan, 16, 1913.

John H. Lewis,  
State Engineer,  
Salem, Oregon.

*# 60a*

ENGINEER  
ED

Dear Sir:-

SAL MON

Please send a blue print of the irrigation water appropriation of G. B. Isaacs, application No. 591, permit No. 257, and oblige.

State charges for the same and I will remit.

Yours respectfully,

*Geary Kimbrell*

*20/2*

March 19, 1914.

Mr. Chas. H. Carter,

Pendleton, Oregon.

Dear Sir,-

Acknowledgement is made of the receipt of  
check for \$1.00, being recording fee as provided by law  
for certificate of water right under Permit No. 259, in  
the name of Charles B. Isaac.

Very respectfully,

Secretary.

MAR 19 1914

SALEM, - OREGON.

Pendleton, Oregon, March 17, 1914.

State Water Board,

Salem, Oregon.

Gentlemen:

I acknowledge receipt of your favor of the 16th inst. regarding appropriation of water under Permit No. 259 in the name of Charles B. Isaac; I notice that a fee of \$1.00 should have been paid, and I omitted to send it; I now enclose it herewith.

Yours truly,



CHC/FJD

Enc.

March 16, 1914.

Mr. Chas. H. Carter,

Pendleton, Oregon.

Dear Sir,-

Acknowledgement is made of the receipt of proof of appropriation of water under Permit No. 259, in the name of Chas. B. Isaacs. This proof appears to be in proper form, and will be presented to the State Water Board at its April meeting.

The law provides that a fee of \$1.00 shall be paid to the State Water Board at the time proof of appropriation is submitted, and you should send check or money order covering such fee at this time. After certificate is issued by the Board, the \$1.00 fee and the certificate are sent to the County Clerk of the proper county, and after recording, the certificate is sent to the water user.

Very respectfully,

Secretary.



OFFICE OF STATE WATER BOARD  
RECORDED

MAR 16 1914

SALEM, OREGON, Pendleton, Oregon, March 14, 1914.

State Water Board,

Salem, Oregon.

Gentlemen:

I enclose herewith proof of appropriation of water by Charles B. Isaac, of Pendleton, Umatilla County, Oregon, under Permit No. 257 (Application No. 591) issued to him by your Board, which I trust you will find in order.

I do not know if any money is required for this proof or not; if there is, kindly advise me and I will send to you.

Yours truly,



CHC/FJD

Enc.

Pendleton, Oregon, Feb. 21, 1914.

Hon. John H. Lewis,  
State Engineer,  
Salem, Oregon.

RECEIVED  
FEB 24 1914  
OFFICE OF STATE WATER BOARD  
SALEM, OREGON

Dear Sir:

I now send you herewith on behalf of Mr. Chas. B. Isaacs, the following notices in regard to his application No. 591, Permit No. 257 for the appropriation of water from McKay Creek, Umatilla County, Oregon.

Mr. Isaacs went right to work on his ditch and head-gate when the permit was first issued - indeed he was working on it before then - and completed it right away.

In regard to the second-feet of water covered by the appropriation, I copied in pen and ink the words shown upon the appropriation; I do not know how many second feet that may be, not being skilled in water matters.

The notices sent you are:

- (1) Notice of beginning construction.
- (2) Notice of completion of construction.
- (3) Notice of complete application of water to a beneficial use.

I trust you will find these documents in order.

Kindly acknowledge receipt of same.

Yours truly

CHC/FJD



Enc.

Pendleton, Oregon, February 5, 1914.

Mr. M. F. Mers,  
Secretary State Water Board,  
Salem, Oregon.

RECEIVED  
FEB 6 1914  
OFFICE OF STATE WATER BOARD  
SALEM, OREGON

Dear Sir:

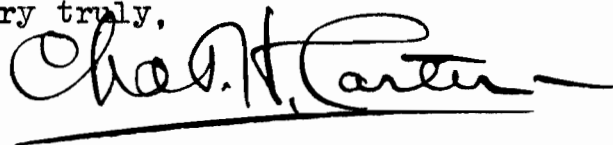
Your letter of the 4th inst. to Mr. Chas. B. Isaacs, of Pendleton, Oregon, advising him that the time allowed for the completion of his water appropriation under permit No. 257 has expired was received by him today and brought by him to me to know what he must do.

Mr. Isaacs has fully completed, long ago, all of his work on this water appropriation and has been using it on the lands covered thereby for a year or more, and his failure to file the notices referred to in your letter of the 4th inst. and to submit final proof of appropriation has been entirely an oversight and due to the fact that he did not keep himself informed as to what he should have done, under the law, to perfect this water right; there will be no trouble at all, from what he tells me, in his producing proof to show that he has, within the time provided, completely established his appropriation.

Under the circumstances he asks, through me, that you ~~submit~~ <sup>send me</sup> blanks for making final proof of appropriation and such other blanks as it may be necessary for him to fill in, sign and swear to (if any such are necessary) in the premises. Kindly send same directly to me for Mr. Isaacs and I will notify him, as he does not get his mail regularly.

Yours very truly,

CHC/FJD



# 60a

April 21, 1910.

Messrs. Carter & Smythe,

Pendleton, Oregon.

Gentlemen:

I enclose herewith application No. 591, by Charles B. Isaac,  
approved, being permit No. 257, together with one blue print map.

Very respectfully,

State Engineer.

(2 enclosures.)

#60a

April 8, 1910.

Messrs. Carter & Smythe,

Pondleton, Oregon.

Gentlemen:

I beg to acknowledge receipt of \$5.00, being balance of fees due on application No. 591, by Charles B. Isaacs. This application will be taken up for approval as soon as the same can be reached and when approved and recorded, will be returned to you.

Very respectfully,

State Engineer.

# 60.

Pendleton, Oregon.

April 6, 1910.

Application 591-Chas. B. Isaac.

OFFICE OF STATE ENGINEER  
RECEIVED  
APR 7 1910

Mr. John H. Lewis,  
State Engineer,

Salem, Oregon.

Dear Sir:-

I have your favor of the 4th inst. advising us that an additional fee of 5.00 is needed to cover that part of this application referring to domestic use of water. Accordingly, we are sending you our check for that sum to your order herewith. Kindly send us notice of definite approval of application, and oblige,

Very truly yours,

Enc. 1.

*Carter & Smythe*

#60a

April 4, 1910.

Messrs. Carter & Smythe,

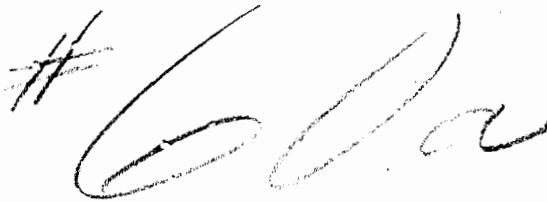
Hendleton, Oregon.

Gentlemen:

In connection with application No. 591, in the name of Charles B. Isaacs, I beg to state that the same is subject to approval except for an additional fee of \$5.00 to cover the domestic use applied for. The collection of this additional fee has been made necessary by a recent decision of the Attorney General.

Very respectfully,

State Engineer.

A handwritten signature in dark ink, appearing to read "C. B. Isaac", with a large, stylized initial "C" and "I".

April 1, 1910.

Messrs. Carter & Smythe,

Pendleton, Oregon.

Gentlemen:

I am in receipt of \$15.~~00~~, together with application No. 591, in the name of Charles B. Isaac, for permit to appropriate the waters of McKay Creek, in Umatilla County. This application will be examined as soon as the same can be reached and if any corrections are necessary the same will be returned to you.

Very respectfully,

State Engineer.



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OFFICE OF STATE ENGINEER  
RECEIVED  
APR 1 1910

Pendleton, Ore.

March 30, 1910.

Hon. J. H. Lewis,  
State Engineer,  
Salem, Oregon.

Dear Sir:-

We send you herewith application in duplicate of Charles B. Isaac for permit to appropriate certain public waters of the State of Oregon, to-wit: from McKay Creek in Umatilla County, in this State; we also enclose maps in duplicate as prescribed by the rules of your office; also send you 15.15 payable to your order, being \$3.00 filing fee, provided by a statute, and 12.15 which is, we take it, the correct amount for 81 acres of land. Kindly acknowledge receipt of these papers and inform us if there is any change in them you desire to be made; and if they are in order we hope to hear from you favorably upon them at an early date.

Very respectfully,

Encs.



9. State the character of the soil and kind of crops raised. *Soil East of Leukom NW 1/4 Sec. 2*  
*is natural, Alkaline, Ashy soil. rest is gravelly dark loam. crops are Alfalfa*
10. Does the accompanying blue print of the map filed with your permit show correctly the location of diverting works and area of land where water is used? *yes*
11. If not, state wherein such map is in error. *✓*
12. If the dimensions of your ditch or dam do not correspond to those described in your permit, state what changes have been made, giving dimensions of ditch (or other distributing works) *= ditch and dam as described in permit = no changes made*
13. If water is used for power, mining, domestic, municipal, storage, manufacturing, or any other purpose than irrigation, give the extent and method of such use.  
*- used only for irrigation, stock and domestic uses.*

STATE OF OREGON,  
 County of *Umatilla* } ss.

I, *Charles B. Isaac*, being first duly sworn, depose and say that I have read the above and foregoing proof of appropriation of water; that I know the contents thereof; and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this *9<sup>th</sup>* day of *March*, 1914.

*Charles B. Isaac*

Subscribed and sworn to before me this *9<sup>th</sup>* day of *March*, 1914.

*Chas. H. Carter*  
 Notary Public for Oregon.

(Notarial Seal)

AFFIDAVIT OF WITNESSES

We, George Haw and N. Berkeley,  
of Beedleton, Oregon, being first duly sworn, depose and say that  
we are well acquainted with the facts and conditions set forth in the foregoing statement relative  
to proof of appropriation of water under Permit No. 257; that we and each of us have  
been over and upon each tract described in said proof and from such personal inspection, have  
knowledge that all necessary ditches, dams and other diversion and distributing works have been  
constructed, and water used as stated therein; that we have carefully read such proof of appropria-  
tion, and that each and every statement contained therein is true to the best of our knowledge  
and belief.

George Haw  
N. Berkeley

Subscribed and sworn to before me this 14<sup>th</sup> day of March, 1914.

Chas. H. Carter  
Notary Public for Oregon.

(Notarial Seal)

REPORT AND RECOMMENDATIONS TO STATE WATER BOARD  
By Representative Taking Proof.

This proof appears to be in proper form.  
was submitted by mail.

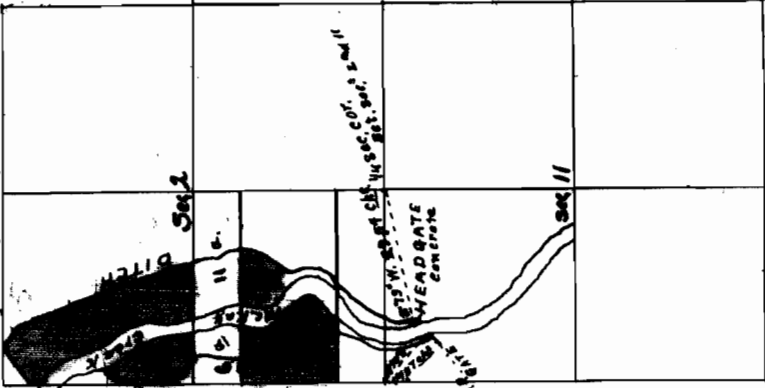
H. K. Donnelly

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Map of  
C.B. Isaacs Irrigation  
Ditches and Headgates

Application No. 591,  
Permit No. 257.

T.1.N.R.32.E.W.1/4



I J. W. Kimbrell of Pendleton Or. do hereby certify that this map was made from notes taken during an actual survey made by me on the 7<sup>th</sup> day of March 1910 and that it correctly represents the works described in the accompanying application together with the location of streams and other ditches in the immediate vicinity and has written thereon the area in each smallest legal subdivision which it is proposed to irrigate

John W. Kimbrell  
County Surveyor

