

*Enlargement Permit No. 114

APPLICATION FOR A PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Adam K Dryborough

I, (Name of Applicant)

of North Powder, County of Union

(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 Anthony Creek (Name of stream)

2. The appropriation to be made by the enlargement (or extension) of (and the enlargement if necessary) of the Pilcher-Dryborough Ditch (Give name or canal or works to be enlarged)

owned by J A Pilcher and applicant, Adam K Dryborough

3. The amount of water which the applicant intends to apply to beneficial use is Two (2) cubic feet per second, which amount is in addition to the present claimed appropriation.

4. The use to which the water is to be applied is Irrigation (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location and Description of Ditch or Works which it is Proposed to Enlarge or Extend

5. (a) The point of diversion from the stream is about 15 rods south and 55 rods west from the NE corner NE 1/4 NW 1/4 Sec. 20, Twp. 6 S. R. 38 E. W. M. (Give distance and bearing to section corner)

(b) The headgate is located within the NE 1/4 NW 1/4 of Sec. 20, Tp. 6 S, R. 38 E, W. M., in the county of Union, State of Oregon (Smallest legal subdivision)

(c) Said ditch is 2 1/2 miles in length and terminates in the SE 1/4 NE 1/4 of Sec. 28, Tp. 6 S, R. 38 E (Ditch, canal or flume)

W. M., the proposed location being shown throughout on the accompanying map.

(d) The dimensions of said ditch just below the headgate are: Width on top (at water line) 3 1/2 feet; width on bottom 3 feet; depth of water 2 1/2 feet; grade 10 feet fall per 1000 feet, having a maximum safe capacity of 6 cubic feet per second.

(e) Said ditch now serves to irrigate the following described land: portions of SE 1/4 SE 1/4 Sec 20, SW 1/4 SW 1/4 and SE 1/4 SW 1/4 Sec 21, and NW 1/4 NW 1/4, and portion of NE 1/4 NW 1/4 of Sec 28, in all 58 1/2 acres as belonging to applicant, and portion of said NE 1/4 NW 1/4 Sec. 28, and SE 1/4 NW 1/4, NW 1/4 NE 1/4, SW 1/4 NE 1/4 and SE 1/4 NE 1/4, said Sec. 28, in all 85 acres as belonging to J A Pilcher, all in Twp. 6 S. R. 38 E. W. M., in Union County, Oregon. (If not used for irrigation, give purpose for which said ditch is used, extent of power developed, mines served, etc.)

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

Compared C.A.

(f) The total area now irrigated from said ditch is 143 1/2 acres.

(g) The diversion works of said ditch are described as follows:

See page 114 (b)

(If any, give character of dam, height, length on top and bottom; spillway over or around dam)

Description of Proposed Enlargement—

6. (a) The diversion dam, after enlargement Will remain unchanged, as will the ditch.

(Will remain unchanged.)

No dams are necessary to take the water into or from said Pilcher-Dryborough Ditch.
or if changed, give height, length, character of material, etc.)

(b) The dimensions of ditch just below the headgate, when enlarged to be: Width on top (at water line).....feet; width on bottom.....feet; depth of water.....feet; grade.....feet fall per 1000 feet.

(c) At.....miles from headgate: Width on top (at water line).....feet; width on bottom.....feet; depth of water.....feet; grade.....feet fall per 1000 feet.
(Give further dimensions at points where changed in dimensions)

See answer to 5 (f)

(d) The ditch or canal as enlarged to be.....miles in length, terminating in the.....of Sec....., Tp....., R....., W. M.
(Give smallest legal subdivision)

See answer to 5(f)

(e) The head of the proposed extension is located.....

(If proposed work is extension of the original ditch or a ditch tapping same, locate by tie to Government corner)

Fill in the Following Information, where the Water Appropriated is to be Used for:

Irrigation—

7. The land to be irrigated by the proposed extension or enlargement has a total area of about 80

acres, located in each smallest legal subdivision, as follows:

SE 1/4 SE 1/4 Section 20, 30 A.

(Give estimated irrigable acreage in each smallest legal subdivision of land which it is proposed to irrigate)

SW 1/4 SW 1/4 Section 21, 3A and

NE 1/4 NE 1/4 37 a., and

SE 1/4 NE 1/4 10 a., Section 29,

All in Twp. 6 S. R. 38E W M., in Union and Baker Counties, Oregon.

This land all drains directly into Anthony Creek about a mile above the next ditch on the River.

(If more space required, attach separate sheet)

Power, Mining, Manufacturing or Transportation Purposes—

8. (a) Total amount of power to be developed.....horsepower.

(b) Total fall to be utilized.....feet.

(Head)

For convenience the following is placed on this page instead of on 114 (a)

5 (g)- I intend to turn this water into said Pilcher-Dryborough Ditch, as herein described, and to then cut the west bank of said ditch at a point where the same crosses the North line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, before referred to, and about 45 rods west from the NE corner said SE $\frac{1}{4}$ SE $\frac{1}{4}$. Here I intend to construct a proper headgate of plank. From this point I will construct a ditch west across the county road. So soon as the county road is crossed, I will cut the ditch into two prongs or laterals. The smaller one will run southeasterly along said county road to a point on the south line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, just west of said county road and about 30 rods east from the SW corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, thence west about 35 rods, to empty into said Anthony Creek if ditch has too much water in same. The other ditch or lateral will run from the point where the main extension crosses the county road, as above designated, and will follow the north line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ said Section 20 west to a point just inside the NW corner said SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, to the north bank of said Anthony Creek. I will either pipe or flume said Creek, and will run the ditch south or southerly along and inside the west lines of the said SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20 and the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ Section 29, following the contour lines at all times, this lateral ending at or near the SE corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29. All of said lands lie in Twp. 6 S. R. 38 E. W. M., in Union and Baker Counties, Oregon.

Compared L. A.

For convenience this is placed here instead of under "Remarks" on page 114 (d).

Remarks:

In the matter of the determination of the rights to the Waters of North Powder River, and its tributaries, a tributary of Powder River, in Baker and Union Counties, now before the Board of Control of the State of Oregon, J A Pilcher and myself, being the sole joint owners of said Pilcher-Dryborough Ditch, entered into a written and signed agreement as to our respective rights therein. This said agreement, as signed by us, was filed with the Superintendent of Water Division No. 2, said Board of Control, and is now among the files in said Matter. Reference to said agreement is hereby made with the view of making the same a portion of this application, and the same is hereby and now made a part hereof. This said agreement gives unto me the right to enlarge said ditch and to turn therein sufficient water to irrigate the lands for which application for water is hereby made, with the right to divert such water, all in addition to the rights I then had and now have therein.

(c) The nature of the works by means of which the power is to be developed.....

located in....., Sec....., Tp....., R....., W. M.
(Legal subdivision)

(d) The use to which the power is to be applied is.....

(e) The nature of the mines to be served.....

Municipal Supply—

9. To supply the city of.....

.....County, having a present population of..... and an
estimated future population of..... in 19.....

10. Estimated cost of the proposed extension or enlargement \$ 500.00

11. Construction work will begin on or before August 1st, 1911

12. Construction work will be completed on or before Five years. Land is heavily tim-
bered and will take that long to
clear and level for irrigation.

13. The water will be completely applied to a beneficial use on or before See ans. to 12

Duplicate maps of the original canal or other works, showing also the enlargement or extension, pre-
pared in accordance with the rules of the Board of Control, accompany this application.

Adam K Dryborough

(Name of Applicant)

Signed in the presence of us as witnesses:

(1) C T Godwin Baker, Oregon
(Name) (Address of Witness)
(2) J B Messich Baker, Oregon
(Name) (Address of Witness)

Remarks:

For under "Remarks" see page 114 (c)

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:

For completion to answer 9 and completion to maps

In order to retain its priority, this application must be returned to the State Engineer, with
corrections, on or before Aug 27, 1911

WITNESS my hand this 28 day of July, 1911

John H Lewis

MM

State Engineer.

Compared to a

Application No. 1530

Enlargement Permit No. 114

PERMIT

To appropriate the public waters of the State of Oregon

Division No. 2 District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon,

on the 7 day of July

19 11, at 8:00 o'clock A.M.

Returned to applicant for correction

July 28 1911

Corrected application received August 21 1911

Approved Nov 9 1911

Recorded in Book No. 1 of Enlargements on Page 114

John H Lewis 15.00 State Engineer

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: The appropriation for irrigation purposes shall be limited to one-eightieth of one cu. ft. per sec. for each acre irrigated. The use hereunder shall conform to any reasonable rotation system ordered by the proper state officer. The priority date of this permit is July 7 1911.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed One (1) cubic feet per second. or its equivalent in case of rotation.

Actual construction work shall begin on or before November 9, 1912 and shall thereafter be prosecuted with reasonable diligence and be completed on or before November 9, 1913

Complete application of the water to the proposed use shall be made on or before November 9, 1914

WITNESS my hand this 9th day of November, 19 11.

John H Lewis State Engineer.