Permit-2M—8-38

Permit No. 13306

CERTIFICATE NO. 14346

*APPLICATION FOR A PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Dillon Irrigation Company
(Name of applicant)

of Stanfield (Postoffice), *County of* Umatilla,

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 November 16, 1897, under the laws of Oregon (Echo, Oregon)

1. *The source of the proposed appropriation is* Robins Spring Branch
(Name of stream)
, *a tributary of* Umatilla River

2. *The amount of water which the applicant intends to apply to beneficial use is* 6 *cubic feet per second.*
(If water is to be used from more than one source, give quantity from each)

**3. *The use to which the water is to be applied is* supplemental irrigation and primary irrigation on land in SW¼ Sec. 6 T 3 NR 29 E. and SE¼SE¼ Sec. 1, T 3 N.R. 28 E.
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. *The point of diversion is located* #1- 164 N 1748 E. SE cor. #2-364 ft. N and 1720 ft. E from the SE ¼ cor. #3 5 S (N. or S.) 800 E (E. or W.) *corner of* #1 Sec. 1 T 3 N R 28 E. #2 " 1 T 3 N R 28 E #3 bet Sec. 1 and 6 T 3 N R 28 & 29 E.
(Section or subdivision)
(If preferable, give distance and bearing to section corner)
(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the #1 & #2 - SW¼ of SW¼ *of Sec.* 6, *Tp.* T 3 N.R 29 E; #3 NW¼ SW¼ 6
(Give smallest legal subdivision) (N. or S.)
R., *W. M., in the county of* Umatilla
(E. or W.)

5. *The* Canals *to be* 3000 ft. (Miles or feet)
(Main ditch, canal or pipe line)
in length, terminating in the #1-SE¼SE¼ Sec. 1 1 T 3 N. R 28 E. #2-SW¼SW¼ *of Sec.* 6, *Tp.* T 3 N, R. 29 E., *W. M., the proposed location being shown throughout on the accompanying map.* #3 Delivery to Main existing Dillon Canals terminating in SW¼NW¼, Sec. 35 T 4 N.R. 28 E.
(Smallest legal subdivision) (N. or S.) (E. or W.)

DESCRIPTION OF WORKS

DIVERSION WORKS— #1 Pumping plant #2 3 50 #3 Pickup in main Dillon Canal.

6. (a) *Height of dam* ..... *feet, length on top* ..... *feet, length at bottom* ..... *feet; material to be used and character of construction* Concrete
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) *Description of headgate* #2 check board control 3' wide.
(Timber, concrete, etc., number and size of openings)
#3 continuously diverted to Dillon Canal.

(c) *If water is to be pumped give general description* Idaho Rotary
(Size and type of pump)
driven by 15 H.P. farm tractor. Lift about 5 ft.
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

* A different form of application is provided where storage works are contemplated.

** Applications for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

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CANAL SYSTEM OR PIPE LINE—

7. (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)* #1- 3 ft. wood flume #2- 5 *feet; width on bottom* #1 500 3' #3 4 *feet; depth of water* 1.5 *feet; grade* 1 *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.*

(c) *Length of pipe,* ..... *ft.; size at intake,* ..... *in.; size at* ..... *ft. from intake* ..... *in.; size at place of use* ..... *in.; difference in elevation between intake and place of use,* ..... *ft. Is grade uniform?* ..... *Estimated capacity,* ..... *sec. ft.*

8. *Location of area to be irrigated, or place of use* See attached sheet.

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

(a) *Character of soil* River bottom and salt grass pastureland

(b) *Kind of crops raised* Alfalfa, grain and pasture.

POWER OR MINING PURPOSES—

9. (a) *Total amount of power to be developed* ..... *theoretical horsepower.*

(b) *Quantity of water to be used for power* ..... *sec. ft.*

(c) *Total fall to be utilized* ..... (Head) *feet.*

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

.....

(e) *Such works to be located in* ..... (Legal subdivision) *of Sec.*....., *Tp.*..... (No. N. or S.), *R.*..... (No. E. or W.), *W. M.*

(f) *Is water to be returned to any stream?* ..... (Yes or No)

(g) *If so, name stream and locate point of return* .....

....., *Sec.*....., *Tp.*..... (No. N. or S.), *R.*..... (No. E. or W.), *W. M.*

(h) *The use to which power is to be applied is* .....

.....

(i) *The nature of the mines to be served* .....

.....

DILLON DITCH COMPANY
PERMIT FROM
ROBINS SPRING BRANCH

RILLA B. ALLEN	T. 3 N. R. 29 E.	Sec. 6	$NW\frac{1}{4}NW\frac{1}{4}$	50 acres		
		6	$SW\frac{1}{4}NW\frac{1}{4}$	50 "		100 acres
W. J. Haney	T. 3 N. R. 28 E	Sec. 1	$NE\frac{1}{4}NE\frac{1}{4}$	40 "		
		1	$NW\frac{1}{4}NE\frac{1}{4}$	15 "		55 "
L.A.McClintock	T. 3 N. R. 28 E	Sec. 1	$SE\frac{1}{4}NE\frac{1}{4}$	40 "		
		1	$SW\frac{1}{4}NE\frac{1}{4}$	40 "		
		1	$NW\frac{1}{4}NE\frac{1}{4}$	25 "		
		1	$SE\frac{1}{4}NW\frac{1}{4}$	40 "		
		1	$SW\frac{1}{4}NW\frac{1}{4}$	24 "		
		1	$NE\frac{1}{4}NW\frac{1}{4}$	40 "		
		1	$NW\frac{1}{4}NW\frac{1}{4}$	40 "		
	T. 4 N. R. 28 E.	Sec. 36	$SE\frac{1}{4}SW\frac{1}{4}$	6.5 "		
		36	$SW\frac{1}{4}SW\frac{1}{4}$	31.6 "		
		35	$SE\frac{1}{4}SE\frac{1}{4}$	40 "		
		35	$NE\frac{1}{4}SE\frac{1}{4}$	40 "		
		35	$NW\frac{1}{4}SE\frac{1}{4}$	40 "		
		35	$SW\frac{1}{4}SE\frac{1}{4}$	30 "		
		35	$NE\frac{1}{4}SW\frac{1}{4}$	40 "		
		35	$NW\frac{1}{4}SW\frac{1}{4}$	40 "		
		35	$SW\frac{1}{4}SW\frac{1}{4}$	25 "		
		35	$SE\frac{1}{4}SW\frac{1}{4}$	25 "		
	Sec.35 $NW\frac{1}{4}NE\frac{1}{4}$	35	$NE\frac{1}{4}NE\frac{1}{4}$	32.3 "	31.8	
		35	$SW\frac{1}{4}NE\frac{1}{4}$	40 "		
		35	$SE\frac{1}{4}NE\frac{1}{4}$	40 "		
		35	$NW\frac{1}{4}NW\frac{1}{4}$	11 "		
		35	$SW\frac{1}{4}NW\frac{1}{4}$	40 "		
		34	$NE\frac{1}{4}NE\frac{1}{4}$	32 "		
		34	$NW\frac{1}{4}NE\frac{1}{4}$	31 "		
		34	$SE\frac{1}{4}NE\frac{1}{4}$	35 "		
		34	$SW\frac{1}{4}NE\frac{1}{4}$	34.5 "		894.7
M. L. Jordan	T. 4 N. R. 28 E.	Sec. 36	$SE\frac{1}{4}NE\frac{1}{4}$	15 "		15
John Spencer	T 4.N. R. 28 E.	Sec. 36	$SE\frac{1}{4}NE\frac{1}{4}$	24 "		24
R. E. Manns	T. 4 N. R. 28 E.	Sec. 36	$SW\frac{1}{4}NE\frac{1}{4}$	20 "		
		36	$NW\frac{1}{4}NE\frac{1}{4}$	20 "		40
CHAS. Holman	T. 4 N. R. 28 E.	Sec. 36	$SW\frac{1}{4}NE\frac{1}{4}$	20 "		
		36	$NW\frac{1}{4}NE\frac{1}{4}$	2 "		22
W. T. Reeves	T. 4 N. R. 29 E.	Sec. 31	$SW\frac{1}{4}SW\frac{1}{4}$	20 "		
		31	$NW\frac{1}{4}SW\frac{1}{4}$	20 "		
	T. 4 N. R. 28 E. "	36	$SE\frac{1}{4}SE\frac{1}{4}$	37 "		
		36	$NE\frac{1}{4}SE\frac{1}{4}$	36 "		
		36	$NW\frac{1}{4}SE\frac{1}{4}$	40 "		
		36	$SW\frac{1}{4}SE\frac{1}{4}$	40 "		193
ADOLPH HAYDEN	T 4 N R 28 E. "	36	$SE\frac{1}{4}SW\frac{1}{4}$	31 "		
		36	$NE\frac{1}{4}SW\frac{1}{4}$	40 "		
		36	$SE\frac{1}{4}NW\frac{1}{4}$	40 "		
		36	$NE\frac{1}{4}NW\frac{1}{4}$	20 "		131
Mossie Bros.	T. 4 N. R. 28 E. "	36	$SW\frac{1}{4}SW\frac{1}{4}$	8 "		
		36	$NW\frac{1}{4}SW\frac{1}{4}$	40 "		
		36	$SW\frac{1}{4}NW\frac{1}{4}$	40 "		
		36	$NW\frac{1}{4}NW\frac{1}{4}$	35 "		123
E. J. MYERS	T 4 N R 28 E. Sec.	35	$NE\frac{1}{4}NW\frac{1}{4}$	33.6 "		
		35	$SE\frac{1}{4}NW\frac{1}{4}$	43.8 "		77.4
Harry Andrews	T 3 N. R. 29 E. Sec.	6	$NW\frac{1}{4}SW\frac{1}{4}$	30.0 "		
		6	$SW\frac{1}{4}SW\frac{1}{4}$	40.0 "		
	T 3 N R 28 E. Sec.	1	$NE\frac{1}{4}SE\frac{1}{4}$	30.0 "		
		1	$SE\frac{1}{4}SE\frac{1}{4}$	20.0 "		120.
						1795.1

MUNICIPAL OR DOMESTIC SUPPLY—

10. (a) To supply the city of .....

..... *County, having a present population of* .....
(Name of)

and an estimated population of ..... *in 193*.....

(b) If for domestic use state number of families to be supplied .....

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, $.....

12. Construction work will begin on or before Work already completed.

13. Construction work will be completed on or before .....

14. The water will be completely applied to the proposed use on or before Within three years from this date.

DILLON IRRIGATION COMPANY
(Signature of applicant)

By L. A. McClintock, President

By W. T. Reeves, Secretary.

Signed in the presence of us as witnesses:

(1) ....., ...
(Name) (Address of witness)

(2) ....., ...
(Name) (Address of witness)

Remarks: Water from this source has been used by the Dillon Irrigation Company lands as early as 1878. A suit in the courts involving the use of the water was heard in the Supreme Court of Oregon in 1880. On May 26, 1925, a decree, Equity No. 3920, involving the use of water as regards the J. O. McCoy (now Harry Andrews) interest and the Dillon Irrigation Company was handed down by the Circuit Court. No claim was made in the adjudication proceedings of the Umatilla River as the claimants did not consider the stream a tributary of the Umatilla River, thus no adjudication was made and the permit herein applied for is for the purpose of establishing the rights under the Water Code and none of the rights heretofore decreed by the courts or secured by use or otherwise are waived by the claimants.

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 .....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before ....., *193*.....

WITNESS my hand this ..... *day of* ....., *193*.....

.....
STATE ENGINEER

13306

Application No. 17617

Permit No. 13306

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

Division No. ..... *District No.* .....

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 1st *day of* October, *1938, at* 8:00 *o'clock* A. *M.*

Returned to applicant:

Corrected application received:

Approved:

November 28, 1938

Recorded in book No. 37 *of Permits on page* 13306.

CHAS. E. STRICKLIN
STATE ENGINEER

Drainage Basin No. 7 *Page* 15

Fees Paid $72.95

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

PERMIT

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to existing rights 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 6.0 *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* Robins Spring Branch

The use to which this water is to be applied is Irrigation and supplemental Irrigation

If for irrigation, this appropriation shall be limited to 1/40th *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 4½ acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the amount of water allowed herein together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein.

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 October 1, 1938

Actual construction work shall begin on or before November 28, 1939 *and shall thereafter be prosecuted with reasonable diligence and be completed on or before* October 1, 1940

Complete application of the water to the proposed use shall be made on or before October 1, 1941

WITNESS my hand this 28th *day of* November, *1938.*

CHAS. E. STRICKLIN
STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Session Laws of 1933.