

**\* APPLICATION FOR A PERMIT**

**To appropriate the Public Waters of the State of Oregon**

I, OREGON-WASHINGTON RAILROAD & NAVIGATION COMPANY and its Lessee,  
UNION PACIFIC RAILROAD COMPANY  
(Name of applicant)

of Portland, (Post office), County of Multnomah  
 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 Oregon-Washington  
Railroad & Navigation Company, Nov. 23, 1910 in Oregon, Union Pacific Railroad  
Company, June 23, 1897 in Utah

1. The source of the proposed appropriation is Gorton Creek  
(Name of stream)  
, a tributary of Columbia River

2. The amount of water which the applicant intends to apply to beneficial use is 0.72  
 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 General railroad use including loco-  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)  
motives, section houses, washing ballast etc.

4. The point of diversion is located        ft.        and        ft.        from the N. E.  
(N. or S.) (E. or W.)  
 corner of Sec. 1, T2N, R8E, W. M. South 51 deg. 44' 53" W. a distance of 4639.21 feet  
(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 NE 1/4 of SW 1/4 of Sec. One (1), Tp. 2N  
(Give smallest legal subdivision) (N. or S.)  
R. 8 E., W. M., in the county of Hood River  
(E. or W.)

5. The pipe line        to be 4776.41 feet  
(Main ditch, canal or pipe line) (Miles or feet)  
 in length, terminating in the Lot 2 (SW 1/4 SE 1/4) of Sec. 36, Tp. 3 N  
(Smallest legal subdivision) (N. or S.)  
R. 8 E., W. M., the proposed location being shown throughout on the accompanying map.  
(E. or W.)

**DESCRIPTION OF WORKS**

**Diversion Works—**

6. (a) Height of dam 5 feet, length on top 10 feet, length at bottom  
10 feet; material to be used and character of construction natural rock dam  
(Loose rock, concrete, masonry,  
with concrete wasteway over dam  
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate six inch perforated iron pipe  
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description not pumped  
(Size and type of pump)

(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 Hydro-electric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.



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 19.....

(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, \$ 1948.91 .....
- 12. Construction work ~~will begin on or before~~ began in July, 1905 .....
- 13. Construction work ~~will be completed on or before~~ in September, 1905 .....
- 14. The water ~~will~~ be completely applied to the proposed use ~~on or before~~ in Sept. 1905 .....

OREGON-WASHINGTON RAILROAD & NAVIGATION  
COMPANY- UNION PACIFIC RAILROAD COMPANY  
(Signature of applicant)

BY M. W. Williams  
General Manager

Signed in the presence of us as witnesses:

- (1) .....  
(Name) (Address of witness)
- (2) .....  
(Name) (Address of witness)

Remarks: James Gorton granted the Oregon Railroad & Navigation Company (predecessor of OWRR&N Company) the right to appropriate water from Gorton Creek by agreement dated August 11, 1905 and recorded February 17, 1906 at Page 478 of Volume "C" of Miscellaneous Records of Wasco County, Oregon, Hood River County being a part of Wasco County in February 1906. The Railroad Company has continually used water from said Gorton Creek since September, 1905.

By making and filing this application the applicants do not waive or intend to waive in whole or in part their rights under and by virtue of said deed of August 11, 1905, or any rights otherwise acquired and owned by them, including rights acquired and owned by reason of beneficial use and application of the waters of said Gorton Creek from 1905 until the present time.

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 ....., 194.....

WITNESS my hand this ..... day of ....., 194.....

STATE ENGINEER

Application No. 21244

Permit No. 16650

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 23d day of October, 1945, at 8:30 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

December 20, 1945

Recorded in book No. 41 of

Permits on page 16650

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 4 Page 6

Fees Paid \$10.00

STATE OF OREGON } ss County of Marion,

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 0.72 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 Gorton Creek

The use to which this water is to be applied is General Railroad Use, including use in locomotives, section houses, and washing ballast.

If for irrigation, this appropriation shall be limited to - - - of one cubic foot per second

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 23, 1945

Actual construction work shall begin on or before December 20, 1946 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1947

Complete application of the water to the proposed use shall be made on or before October 1, 1948

WITNESS my hand this 20th day of December, 1945.

CHAS. E. STRICKLIN STATE ENGINEER