

BEFORE THE STATE ENGINEER OF OREGON

UNION COUNTY

IN THE MATTER OF THE APPLICATION OF)
SUNNYSLOPE IRRIGATION DITCH COMPANY)
FOR THE RE-INSTATEMENT OF PERMIT NO.)
2173, FOR THE USE OF THE WATERS OF)
NORTH POWDER RIVER AND WOLF CREEK)

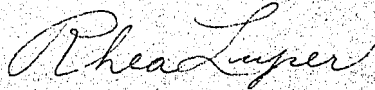
O R D E R .

Now at this time this matter coming on before the State Engineer for consideration, on the application of Sunnyslope Irrigation Ditch Company, through its secretary, C. E. Hutchinson, for the re-instatement of the water rights under Permit No. 2173, issued in the name of L. S. Kelsey, and it appearing that application for said permit was filed October 14, 1911, and permit later issued covering the appropriation of 10.25 second feet of water from North Powder River and Wolf Creek for the irrigation of 819.5 acres of land; that after said permit was issued no notices of the progress of construction work thereunder were filed as required by the rules of the State Water Board, due to the fact that said L. S. Kelsey was killed by accident about May 13, 1913, and that subsequently all communications and notices with regard to said permit were addressed to one E. M. Sanders, under the erroneous impression on the part of said Board that he had succeeded to the rights under said permit; that said permit was later cancelled by said Board, without notice to the real owners of the rights thereunder; whereas, as appears from the application and affidavit filed herein, said rights were in fact completed in accordance with the terms of the permit, and several hundred acres of land irrigated within the time limited, and that said rights are now held by the applicant herein;

NOW, THEREFORE, the State Engineer having considered the matter and being fully advised in the premises, it is hereby ORDERED that Permit No. 2173 be and the same is hereby re-instated, without prejudice to other users of the waters of said streams who have not been heard herein; and that said applicant be allowed to submit final proof of appropriation, and that final

water right certificate be issued covering the land to which water has been applied to beneficial use under said right.

Dated this 14th day of August, 1923, at Salem, Oregon.

A handwritten signature in cursive script that reads "Rhea Luper". The letters are fluid and connected, with a prominent initial "R".

RHEA LUPER,
STATE ENGINEER.