

\*APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, Shell Mercantile Company (Name of applicant) of Wallowa (Post office), County of Wallowa, 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 South Fork Wallowa River (Name of stream), a tributary of Wallowa River

2. The amount of water which the applicant intends to apply to beneficial use is 0.50 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 Irrigation (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 660 ft. South and 1250 ft. West from the NE corner of Section 9, (Section or subdivision) (If preferable, give distance and bearing to section corner)

being within the NE 1/4 NE 1/4 of Sec. 9, Tp. 1 South, R. 43 East, W. M., in the county of Wallowa (Give smallest legal subdivision) (N. or S.) (E. or W.)

5. The Fitzpatrick Ditch (Main ditch, canal or pipe line) is 3 1/2 miles long (Miles or feet) in length, terminating in the SE 1/4 SW 1/4 of Sec. 21, Tp. 1 North, R. 43 East, W. M., the proposed location being shown throughout on the accompanying map. (Smallest legal subdivision) (N. or S.) (E. or W.)

DESCRIPTION OF WORKS

DIVERSION WORKS—

6. (a) Height of dam feet, length on top feet, length at bottom feet; material to be used and character of construction Same dam as used by the Fitzpatrick ditch company (Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Same head gate as used by the Fitzpatrick Ditch Company. (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description (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 Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

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) ..... feet; width on bottom ..... feet; depth of water ..... feet; grade ..... feet fall per one thousand feet.

(b) At ..... 2 ..... miles from headgate: width on top (at water line) .....  $1\frac{1}{2}$  ..... feet; width on bottom ..... 1 ..... feet; depth of water .....  $\frac{1}{2}$  ..... feet; grade ..... 2.5 ..... 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 .....

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
1 North	43 East	21	SE $\frac{1}{4}$ SW $\frac{1}{4}$	15

(If more space required, attach separate sheet)

(a) Character of soil ..... Sandy Loam  
 (b) Kind of crops raised ..... 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 ..... feet.  
(Head)  
 (d) The nature of the works by means of which the power is to be developed .....

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

(f) Is water to be returned to any stream? .....  
(Yes or No)  
 (g) If so, name stream and locate point of return .....  
 ..... Sec. ...., Tp. ...., R. ...., W. M.  
(No. N. or S.) (No. E. or W.)

(h) The use to which power is to be applied is .....  
 .....  
 (i) The nature of the mines to be served .....

MUNICIPAL OR DOMESTIC SUPPLY—

10. (a) To supply the city of \_\_\_\_\_  
\_\_\_\_\_ County, having a present population of \_\_\_\_\_  
(Name of)  
and an estimated populatoin 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, \$ 25.00

12. Construction work will begin on or before July 1, 1939

13. Construction work will be completed on or before August 1, 1939

14. The water will be completely applied to the proposed use on or before August 1, 1939

SHELL MERCANTILE CO.  
Wallowa, Oregon (Signature of applicant)  
Part Owner, T. T. Shell  
Part Owner, Stanley E. Shell

Signed in the presence of us as witnesses:

(1) Brock Tucker, Wallowa, Oregon  
(Name) (Address of witness)

(2) Shirley Pfeffer, Wallowa, Oregon  
(Name) (Address of witness)

Remarks: \_\_\_\_\_

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

Application No. 18210

Permit No. 13850

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 19th day of June 1939, at 1:00 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

July 26, 1939

Recorded in book No. 39 of

Permits on page 13850

CHAS. E. STRICKLIN STATE ENGINEER

Drainage Basin No. 8 Page 36

Fees Paid \$9.50

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 0.38 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 South Fork Wallowa River

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

If for irrigation, this appropriation shall be limited to of one cubic foot per second a diversion of not to exceed 1/2 acre feet per acre for each acre irrigated during any 30-day period from May 1, to July 31, and thereafter shall be limited to a diversion of not to exceed 1 acre foot per acre for each acre irrigated during the remainder of the irrigation season ending October 1, 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 June 19, 1939

Actual construction work shall begin on or before July 26, 1940 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1941

Complete application of the water to the proposed use shall be made on or before October 1, 1942

WITNESS my hand this 26th day of July, 1939

CHAS. E. STRICKLIN STATE ENGINEER