

* Permit No. 4527

ABSTRACT MADE

APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, T T Shell (Name of Applicant) of Wallowa (Postoffice), Wallowa 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 McDonald-Shell Creek (Name of stream)

tributary of Wallowa River

2. The amount of water which the applicant intends to apply to beneficial use is Three Hundred (7.5) inches cubic feet per second.

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 50 rods East and 40 rods North of the SW 1/4 of NW 1/4 Sec. 14 Twp 1 North of Range 42 East, W.M. (Give distance and bearing to section corner)

being within the SW 1/4 of NW 1/4 of Sec. 14, Tp. 1 North R. 42 E, W.M., in the county of Wallowa, Oregon (No. N. or S.)

5. The main ditch to be 240 rods about miles in length, terminating in the NE 1/4 of SW 1/4 of Sec. 11, Tp. 1 N R. 42 E, W.M., the proposed location being shown throughout on the accompanying map. (Smallest legal subdivision) (No. N. or S.)

6. The name of the ditch, canal or other works is Michael Waller Ditch

DESCRIPTION OF WORKS

DIVERSION WORKS—

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

(b) Description of headgate (Timber, concrete, etc., number and size of openings)

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

CANAL SYSTEM—

8. (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 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.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR:

IRRIGATION—

9. The land to be irrigated has a total area of Five acres, located in each smallest legal subdivision, as follows:

(Give area of land in each smallest legal subdivision which you intend to irrigate.)

East 1/2 of SE 1/4 of NW 1/4 of NW 1/4 Sec. 14 Twp 1 North of Range 42 East W.M.

situated in Wallowa County, Oregon

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

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

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

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

(d) Such works to be located in of Sec.
(Legal subdivision)

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

(e) Is water to be returned to any stream?
(Yes or No)

(f) If so, name stream and locate point of return

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

(g) The use to which power is to be applied is

(h) The nature of the mines to be served

MUNICIPAL SUPPLY—

11. To supply the city of
..... County, having a present population of, and an
(Name of)
estimated population of in 19.....

(Answer questions 12, 13, 14 and 15 in all cases)

- 12. Estimated cost of proposed works, \$.....
- 13. Construction work will begin on or before
- 14. Construction work will be completed on or before
- 15. The water will be completely applied to the proposed use on or before

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Water Board, accompany this application.

T T Shell
(Name of applicant)

Signed in the presence of us as witnesses:

- (1) Geo. E Dale Wallowa, Oregon
(Name) (Address of Witness)
- (2) Geo. W Cherry Wallowa, Oregon
(Name) (Address of Witness)

Remarks: The McDonald-Shell Creek has its source in a large spring, and on its way to Wallowa River it is fed by many other springs. During the irrigating season, while the owners of the lands south of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 14 Twp 1 N R 42 E.W.M. are irrigating their lands, there is a large surplus of water of water flowing through said creek, and during all seasons of the year said creek is a running stream fed by the springs referred to. The Michael Waller or diverting ditch has been used by the applicants, McDonald and Shell constantly for more than 10 years.

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:

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before, 19.....

WITNESS my hand this day of, 19.....

State Engineer.

Application No. 7191

Permit No. 4527

PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF OREGON

District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 5 day of April, 1920, at 8:30 o'clock A.M.

Returned to applicant for correction

Corrected application received

Approved:

Apr 20 1920

Recorded in Book No. 16 of Permits, on Page 4527

Percy A Cupper

State Engineer.

1 map RS

\$3.75

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

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: If for irrigation, this appropriation shall be limited to one-eightieth of one cubic foot per second, or its equivalent, for each acre irrigated, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The right to the use of water herein granted is limited to irrigation purposes.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.06 cubic feet per second, or its equivalent in case of rotation.

The priority date of this permit is April 5, 1920

Actual construction work shall begin on or before April 20, 1921 and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1922

Complete application of the water to the proposed use shall be made on or before

October 1, 1923

WITNESS my hand this 20th day of April 1920

Percy A Cupper

State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Section 6633, Lord's Oregon Laws, and the payment of annual fees as provided in Chapter 213, Session Laws of 1915.