

\* Permit No. 5989

APPLICATION FOR A PERMIT

Supervisor's Cert. No. 33394

To appropriate the Public Waters of the State of Oregon

I, S. S. Shields and A. L. Edwards, Freewater, (Name of Applicant) of Freewater, (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

1. The source of the proposed appropriation is Waste or surplus waters from Milton Ditch-Finis Ditch-Powell Ditch and irrigation wells (Name of stream) tributary of Walla Walla River

2. The amount of water which the applicant intends to apply to beneficial use is maximum 0.34 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 1550 feet & 1900 feet North East of the SW corner of Section (34) Thirty-Four in Township Six (6) North of Range Thirty-five (Give distance and bearing to section corner) East of W.M.

being within the SW 1/4 & the NW 1/4 of the SW 1/4 of Sec. 34, Tp. 6 North (Give smallest legal subdivision) (No. N. or S.) R. 35 E, W. M., in the county of Umatilla, Oregon. (No. E. or W.)

5. The Ditch, partly underground tile to be 1900 feet = miles (Main ditch, canal or pipe line) in length, terminating in the NW 1/4 of SW 1/4 of Sec. 34, Tp. 6 North (Smallest legal subdivision) (No. N. or S.) R. 35 East, W. M., the proposed location being shown throughout on the accompanying map. (No. E. or W.)

6. The name of the ditch, canal or other works is SHIELDS' FRUIT COMPANY'S DITCH

DESCRIPTION OF WORKS

DIVERSION WORKS— None.

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 Twenty-seven (27) ..... acres, located in each smallest legal subdivision, as follows:

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

The NE 1/4 of the SE 1/4 of Section (33) Thirty-three, Township (6) Six North of Range (35) Thirty-five East W.M.

(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. ...., Tp. ...., R. ...., W. M. (Legal subdivision) (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 \_\_\_\_\_  
\_\_\_\_\_  
(Name of) County, having a present population of \_\_\_\_\_,  
and an 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.

S. S. Shields,  
(Name of applicant)

A. L. Edwards,

Signed in the presence of us as witnesses:

		Freewater, Ore.
(1)	J. J. Shaffer, (Name)	(Address of Witness)
(2)	J. C. Irons, (Name)	Freewater, Ore. (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 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 .....

WITNESS my hand this ..... day of .....

State Engineer.

Application No.....9119.....

Permit No.....5989.....

**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 <sup>4</sup>..... day

of August....., 192<sup>3</sup>,

at 1:30 P o'clock.....M.

Returned to applicant for correction

Corrected application received

Approved:

August 31, 1923.

Recorded in Book No.....21 of

Permits, on Page.....5989

Rhea Luper.

State Engineer.

1 map ER

\$7.05

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

*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 herein granted is limited to the appropriation of waste water

or surplus water from Milton, Finis, and Powell Ditches, and irrigation wells, for irrigation purposes, and is also limited to the water available at the proposed point of diversion and does not carry with it the right to divert water from the stream from which the waste water is diverted, nor the right to require the wasteful use of water by others.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 0.34..... cubic feet per second, or its equivalent in case of rotation. The priority date of this permit is August 4, 1923.....

Actual construction work shall begin on or before August 31, 1924..... and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1925.....

Complete application of the water to the proposed use shall be made on or before October 1, 1926.....

WITNESS my hand this 31st day of August, 1923.....

Rhea Luper.

State Engineer.

Permits for power development are subject to the limitation of franchise as provided in Section 5728, Oregon Laws, and the payment of annual fees as provided in Section 5803, Oregon Laws.