

Application No. **47536**  
Name **ASSIGNED** Norman Thorgersen, Sec. of Milton Box Co.  
By \_\_\_\_\_  
Address P.O. Drawer 1168  
Pendleton, Oregon 97801  
Permit No. **46961**  
Certificate No. \_\_\_\_\_  
Stream Index, Page No. B-38C

Date filed September 17, 1970  
Priority September 17, 1970  
Action suspended until C29

Returned to applicant \_\_\_\_\_  
Date of approval OCT 7 1982

**CONSTRUCTION**  
Date for beginning OCT 7 1983  
Date for completion OCT 1 1984  
Extended to 10-1-89, 10-1-94, 10-1-99  
10-1-29  
Date for application of water OCT 1 1985  
Extended to 10-1-89, 10-1-94, 10-1-99  
10-1-29

**PROSECUTION OF WORK**  
Form "A" filed started  
Form "B" filed October 31, 1984  
Form "C" filed October 31, 1984

**FINAL PROOF**  
Blank mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Date certificate issued \_\_\_\_\_

FEES PAID				
Date	Amount	Receipt No.		
9-17-70	20.00	20845		
10-14-70	7.00	21231		
(exten) 10/25/93	100.00	106137		
EXT. 2-16-99	100.00	27770		
			\$1 Cert. Fee	

FEES REFUNDED				
Date	Amount	Check No.		

ASSIGNMENTS				
Date	To Whom	Address	Volume	Page
12-15-80	<u>LAKE SHORE WATER DEVELOPMENT COOP</u>	<u>PO. Box 652, Joseph 97844</u>	<u>6</u>	<u>809</u>

**REMARKS**  
See 28697- Dam 29 Ram 3, one lodge  
See 43118 Dam 19 Ram 1  
See also Files 28697 and 43118 re other houses  
served through same water system  
**CARD FOR B OCT 17 1984**



Form C (690-9-77)

**IMPORTANT**—This form is a notice to the Water Resources Director that permittee is ready to make **final proof** to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the **final proof** inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. 47536

**NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE**

LAKESHORE WATER & DEVELOPMENT COOP

, the holder of Permit No. 46961

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the First day of October, 1984.

Remarks: 19 individual homesites involved

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of October, 1984.  
Lakeshore Water & Dev. Coop  
M. M. O. Davis Sec. 206 Depot St., Enterprise, Ore. 97828  
(Signature of Applicant) (Address)

Form B (690-9-77)

Application No. 47536

**NOTICE OF COMPLETION OF CONSTRUCTION**

I, LAKESHORE WATER & DEVELOPMENT COOP, the holder of Permit No. 46961

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the First day of October, 1984.

Remarks: 19 individual homesites involved

If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed develop-

ment, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of October, 1984.  
Lakeshore Water & Dev. Coop  
M. M. O. Davis Sec. 206 Depot St., Enterprise, Ore. 97828  
(Signature of Applicant) (Address)

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when construction work is completed.



# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

June 18, 2015

Water Right Solutions  
Bill Neve, CWRE  
PO Box 511  
Walla Walla, WA 99362

RE: Application S-47536, Permit S-46961 (Lakeshore Water & Development Cooperative)

Dear Bill,

You recently requested that the Department respond in writing to confirm whether or not a permit amendment would be required given the following scenario for a client who owns a lot included within the Lakeshore Water & Development Cooperative's (LWDC) permit; Permit S-46961:

My client owns Lot 2800, on the north end of the development. He also owns Lot 3600, which is adjacent to, and west of, Lot 2800. Several years back, he requested authority from LWDC to take the service hookup he was allocated on Lot 2800, and use that to serve a new home located on Lot 3600 (instead of, not in addition to, a hookup on Lot 2800). He received approval from LWDC, and the hookup to a home on Lot 3600 was made. It should be noted that Lot 3600 is within the legal description provided as the Place of Use for Permit No. 46961.

My client now wishes to sell this property, but LWDC is indicating that he does not have legal authorization to use water from their system for this home, as it is on a lot not included in the permit map (see attached). In an effort to resolve this issue, my client is proposing to complete a lot line adjustment in order to amend the lot line of Lot 2800 to incorporate the home being served on the adjacent Lot 3600. There is no intent to add a service, or change the place of use of the water right – the only goal here is to amend the Lot 2800 boundaries so that the existing service to the home on Lot 3600 can be considered as authorized and legal.


Given the above circumstances, if a lot line adjustment were completed and the information associated with that lot line adjustment were forwarded to the Department for inclusion in the file, would there be any necessity to file an amended permit map?

If the lot line of Tax Lot 2800 is adjusted to include the location of the house served under the permit, the permit would not need to be amended. If a lot line adjustment was approved by the County, the Department would like a copy of the approved map to identify the new lot line.

If a lot line adjustment is not approved by the County, then a permit amendment would be required in order to move the place of use from Lot 2800 to Lot 3600.

If you have any additional questions concerning this issue, please feel free to contact me at 503-986-0811.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gerry Clark", written over the printed name.

Gerry Clark  
Water Rights Program Analyst  
Certificates

cc: Lakeshore Water & Development Cooperative

attachments



# Lakeshore Water Cooperative - Wicher Lots

Ballard Property



- Wicher Lots
- "Ballard Property"

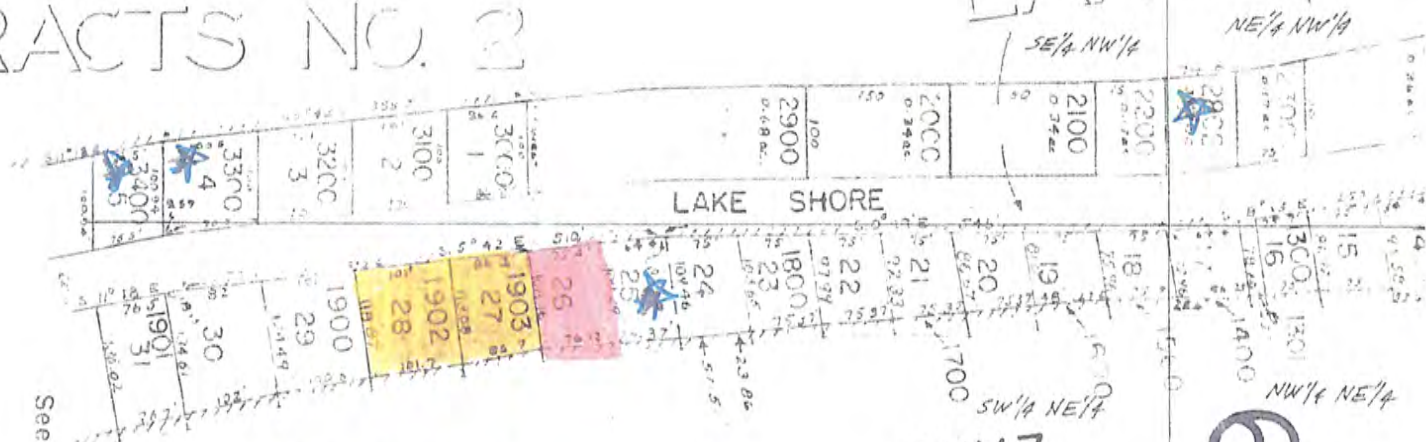
See Map 3S

(PART OF)

LAKE SHORE  
TRACTS NO. 2

(PART OF)

LAKE SHORE



See Map 3S 4S 8C

RECEIVED

SEP 2 1982

WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. 47536  
Permit No. 46961



SHEET 41

NW1/4 Sec. 8 T.3S. R.45E. W.M.

WALLOWA COUNTY

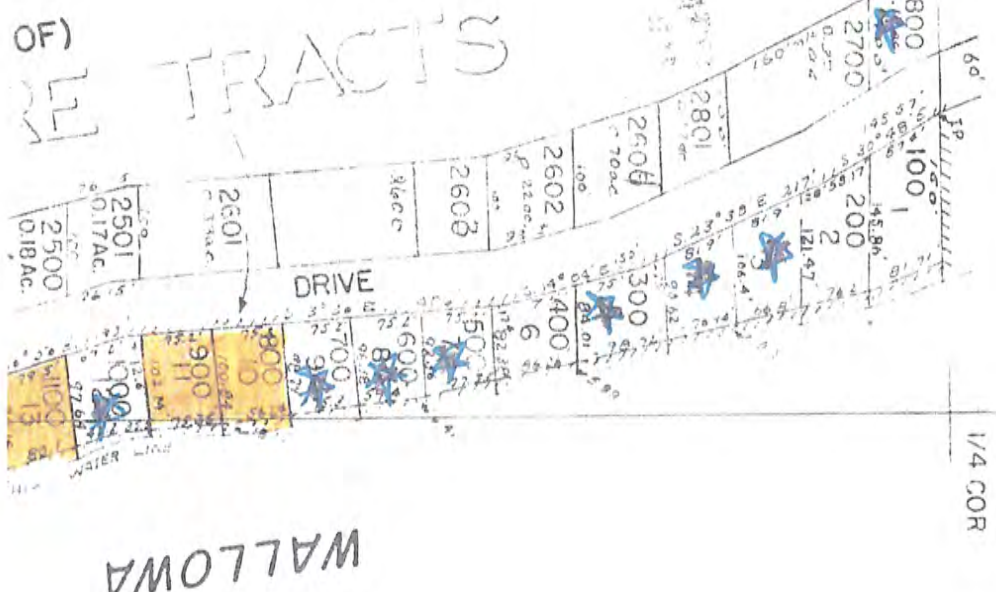
 $l'' = 200'$ 

Exhibition

52

Conitophora

See Map 3S 45 5C



## CLARK Gerry E

---

**From:** CLARK Gerry E  
**Sent:** Monday, June 22, 2015 12:08 PM  
**To:** 'Bill Neve'  
**Cc:** 'Mona J Geidl'  
**Subject:** RE: Request for Clarification - Permit 46961 (Lakeshore Water & Development Co-op)  
**Attachments:** scan\_20150618\_110214.pdf

Bill,

I have attached a copy of the letter that was mailed on June 18, 2015. It should arrive within the next few days if it hasn't already.

Let me know if this addresses both your client's and the Cooperatives concerns.

Gerry

Gerry Clark  
Water Right Services Division  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301

Phone: 503-986-0811

**From:** Bill Neve [<mailto:billneve.wrs@gmail.com>]  
**Sent:** Tuesday, June 16, 2015 10:20 AM  
**To:** 'CLARK Gerry E'  
**Cc:** 'Mona J Geidl'  
**Subject:** RE: Request for Clarification - Permit 46961 (Lakeshore Water & Development Co-op)

Hello Gerry,

The maps are attached. Please let me know if you need additional information.

Regards,

Bill Neve, CWRE  
WATER RIGHT SOLUTIONS  
PO Box 511  
Walla Walla, WA 99362  
(509) 540-4474  
[billneve.wrs@gmail.com](mailto:billneve.wrs@gmail.com)

**From:** CLARK Gerry E [<mailto:gerald.e.clark@state.or.us>]  
**Sent:** Tuesday, June 16, 2015 9:31 AM  
**To:** Bill Neve



**Cc:** Mona J Geidl

**Subject:** RE: Request for Clarification - Permit 46961 (Lakeshore Water & Development Co-op)

Bill,

I did not receive the map indicated as attached in your message. Could you please forward the map?

Thank you.

Gerry

Gerry Clark  
Water Right Services Division  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301

Phone: 503-986-0811

**From:** Bill Neve [<mailto:billneve.wrs@gmail.com>]

**Sent:** Monday, June 15, 2015 10:55 AM

**To:** CLARK Gerry E

**Cc:** Mona J Geidl

**Subject:** Request for Clarification - Permit 46961 (Lakeshore Water & Development Co-op)

Hello Jerry,

Thank you so much for your time last week. Below are the particulars which we discussed, regarding Permit No. 46961, Lakeshore Water & Development Cooperative.

My client owns Lot 2800, on the north end of the development. He also owns Lot 3600, which is adjacent to, and west of, Lot 2800. Several years back, he requested authority from LWDC to take the service hookup he was allocated on Lot 2800, and use that to serve a new home located on Lot 3600 (instead of, not in addition to, a hookup on Lot 2800). He received approval from LWDC, and the hookup to a home on Lot 3600 was made. It should be noted that Lot 3600 is within the legal description provided as the Place of Use for Permit No. 46961.

Move forward several years, and my client now wishes to sell this property, but LWDC is indicating that he does not have legal authorization to use water from their system for this home, as it is on a lot not included in the permit map (see attached). In an effort to resolve this issue, my client is proposing to complete a lot line adjustment in order to amend the lot line of Lot 2800 to incorporate the home being served on the adjacent Lot 3600. There is no intent to add a service, or change the place of use of the water right – the only goal here is to amend the Lot 2800 boundaries so that the existing service to the home on Lot 3600 can be considered as authorized and legal.

There is a strong interest on both side to keep expenses to a minimum, which has generated the following question:

**Given the above circumstances, if a lot line adjustment were completed and the information associated with that lot line adjustment were forwarded to the Department for inclusion in the file, would there be any necessity to file an amended permit map?**

I have been advised earlier from staff in your office that it would not be necessary, but the attorney for LWDC has requested this determination in writing, as LWDC does not want to incur any expense as a result of this proposal.

If you have any questions, or need additional information, please do not hesitate to contact me at your convenience.

Regards,

Bill Neve, CWRE

**WATER RIGHT SOLUTIONS**

*PO Box 511*

*Walla Walla, WA 99362*

*(509) 540-4474*

*[billneve.wrs@gmail.com](mailto:billneve.wrs@gmail.com)*

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No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2015.0.5961 / Virus Database: 4360/10009 - Release Date: 06/13/15



Make note  
on progress report  
confirmation letter  
that a permit  
amendment will  
be needed to  
move lots from  
original permit  
before final proof



# Oregon

John A. Kitzhaber, MD, Governor

## Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

January 15, 2015

LAKE SHORE WATER DEVELOPMENT COOP  
PO BOX 652  
JOSEPH, OR 97846

REFERENCE: Application **S-47536** / Permit S-46961

Dear Permit Holder:

The Water Right Services Division received your written progress report for Permit S-46961. Receipt of the progress report was published on the Department's weekly Public Notice, dated . The Department did not receive any public comment on the progress report.

After reviewing your Progress Report, the Department determined that diligence toward completion of the project and compliance with the terms and conditions of the permit and extension has been demonstrated.

Your next written progress report for Permit S-46961 is due no later than **October 1, 2019**. The report must be received by the Department no sooner than 30 days prior to the due date. You also have (a) future report(s) that will be due by October 1, 2019 and 2024.

For your convenience, I have enclosed your next *Progress Report Form*. Please calendar this October 1, 2019 due date, as no further reminders will be sent.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2029. ***Failure to submit a written progress report will most likely result in any future extensions being denied.***

If you have any questions, please feel free to contact me by telephone at (503) 986-0802.

Sincerely,

Machel A Bamberger

Extensions

Water Right Services Division

Enclosure

cc: Application S-47536  
Watermaster District 6 – Shad Hattan



# Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

11-10-14

ICE FOUNTAIN WATER DISTRICT  
1185 TUCKER ROAD  
HOOD RIVER, OR 97031

REFERENCE: Application S-68132 / Permit S-48876

Dear Permit Holder:

On 8/30/1999, the Department issued a Final Order approving an Extension of Time for Permit S-48876. This Final Order included a condition that required the permit holder to submit a written progress report to the Department by October 1, 2014 as well as a future progress report(s) due by October 1, 2019 and 2024.

This letter is being sent to you because the Department has not yet received the progress report that was due on October 1, 2014.

For your convenience, I have enclosed a **Progress Report Form** for you to fill out and submit. In order to maintain the ability to continue developing water under this permit, you should submit your overdue progress report immediately.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2029. ***Failure to submit the written progress report will most likely result in any future extensions being denied.***

If you have any questions concerning this matter, you may contact me by telephone at (503) 986-0802.

Sincerely,

Machelle A Bamberger  
Extensions  
Water Rights Services Division

Enclosure

cc: Application S-68132  
Watermaster District 3 – ROBERT WOOD



$1'' = 200'$ 

CONTEMPLATED (92)

See Map 3S 45 5 C

Existing Houses - 44

Contemplated - 60

To Be Reassigned

104

6

110

See Map 3S 45

(PART OF)  
LAKE SHORE  
TRACTS NO. 2

WALLOWA

6-5

LAKE

Application No. 47536

Permit No. 46961

WILLIAM

SEP 2 1982

WATER RESOURCES DEPT.,  
SALEM, OREGON

RECEIVED

AUG 01 2014

WATER RESOURCES DEPT  
SALEM, OREGON

See Map 3S 45 8 C



WALLOWA COUNTY

1"=200'

See Map 3S 45 8B

SEE MAP 3S 45

Application No. 47536  
Permit No. 46961



RECEIVED

AUG 01 2014

WATER RESOURCES DEPT  
SALEM, OREGON



N 1/4 COR  
SEC. 17  
4800  
13.4Ac.

(PART OF)  
LAKE SHORE  
TRACTS NO 2

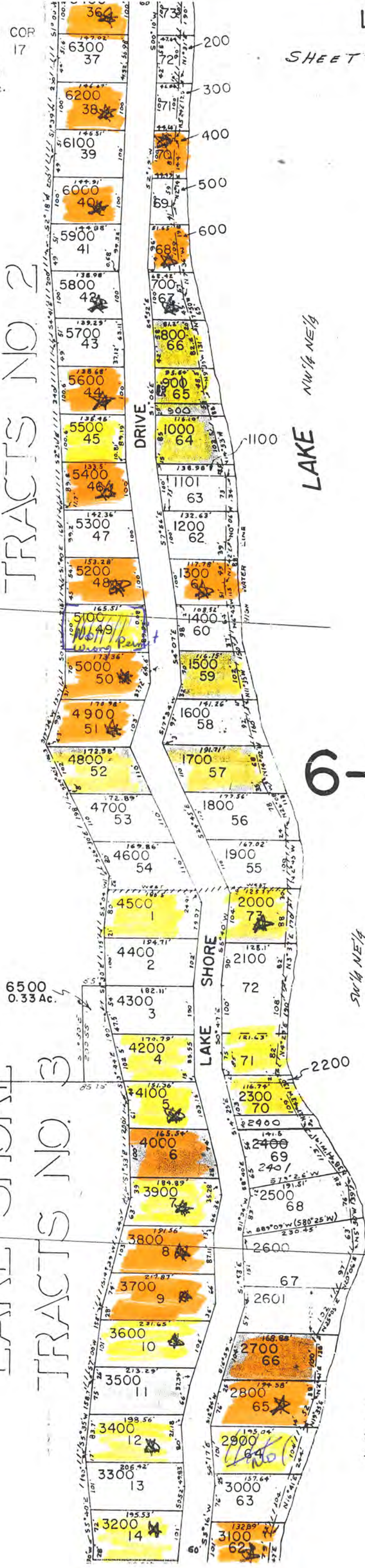
SEE MAP 3S 4S

(PART OF)  
LAKE SHORE  
TRACTS NO 3

RECEIVED  
SEP 2 1982  
WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. 47536  
Permit No. 46961

RECEIVED  
AUG 01 2014  
WATER RESOURCES DEPT  
SALEM, OREGON





Application No. 47536

SHEET No. 4

POINT OF DIVERSION  
IS 550' NORTH OF  
AND 300' EAST OF  
1/4 COR. SEC. 17

SEE MAP 3S 45

SW 1/4 COR.  
SEC. 17

SEC. 20

(PART OF)

LAKE SHORE TRACTS NO. 3

LAKE SHORE

DRIVE

LAKE

WALLOWA

SUBJECT TO FLOOD EASEMENT  
JUDGMENT RECORDED DV 56-423

6-5

SEE MAP 3S 45

Application No. 47536  
Permit No. 46961

RECEIVED

SEP 2 1982

WATER RESOURCES DEPT.  
SALEM, OREGON

RECEIVED

AUG 01 2014

WATER RESOURCES DEPT  
SALEM, OREGON

3S 45



# Oregon

John A. Kitzhaber, MD, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone (503) 986-0900  
Fax (503) 986-0904  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

September 25, 2014

LakeShore Water Development Cooperative  
PO BOX 652  
Joseph, OR 97846

REFERENCE: Application S-47536 / Permit S-46961

Dear Permit Holder:

The Water Right Services Division received your written progress report for Permit S-46961. Receipt of the progress report was published on the Department's weekly Public Notice, dated August 19, 2014. The Department did not receive any public comment on the progress report.

After reviewing your Progress Report, the Department determined that diligence toward completion of the project and compliance with the terms and conditions of the permit and extension has been demonstrated.

Your next written progress report for Permit S-46961 is due no later than **October 1, 2019**. The report must be received by the Department no sooner than 90 days prior to the due date. You also have a future report that will be due by October 1, 2024.

For your convenience, I have enclosed your next *Progress Report Form*. Please calendar this October 1, 2019 due date, as no further reminders will be sent.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2029. ***Failure to submit a written progress report may jeopardize continued development of your permit beyond October 1, 2029, as future extensions are evaluated on past due diligence, and consequently may not be granted.***

If you have any questions, please feel free to contact me by telephone at (503) 986-0802.

Sincerely,

Machelle A Bamberger

Extensions

Water Right Services Division

Enclosure

cc: Application S-46961  
Watermaster District -7





Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem Oregon 97301-1266  
(503) 986-0900  
www.wrd.state.or.us

RECEIVED BY OWRD

AUG 01 2014

SALEM, OR

**Extension of Time  
Progress Report Form  
For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: **LAKESHORE WATER AND DEVELOPMENT COOPERATIVE**

Application S-47536  
Permit S-46961

Report due no later than October 1, 2014

**Progress Report Form for 2014**

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit S-46961

INSERT DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between October 1, 2009 and October 1, 2014	FINANCIAL INVESTMENT

*See attached letter*

2. **Compliance with terms and conditions of the permit and/or previous extension.**

3. **Total number of acres irrigated to date= \_\_\_\_\_ (if applicable)**

4. **Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.**

Maximum rate used to date = \_\_\_\_\_ cfs (cubic feet per second)

Maximum rate used to date = \_\_\_\_\_ gpm (gallons per minute)

Acre-feet stored to date = \_\_\_\_\_ AF

*Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.*

Signature Cecilia Hilbert Sec/Treas. Date 8/1/14

**For OWRD use only**

Diligence Shown ☒ Yes ☐ No

Date Public Noticed: 8-19-14

Reviewed by: Stephen Parnett

Date: 9-25-14

# LAKE SHORE WATER & DEVELOPMENT COOPERATIVE

P.O. Box 652, Joseph, OR 97846

August 1, 2014

Mr. Tom Paul  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266

Dear Paul,

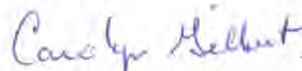
On August 30, 1999, Lakeshore Water & Development Coop was granted an extension of time for Permit #46961 (Application 47536) until October 1, 2029. As part of that extension, the permittee must submit a written progress report every five years starting October 1, 2004, covering the following points. This is the report for October 1, 2014.

1. **The amount of construction accomplished and financial investments:** Since 2009, there has been no new construction or upgrade of the water system. However, one house is expected to be built this year (Original Tract, Lot 9) and a garage was converted to a house (Original Tract, Lot 24).

2. **Compliance with terms and conditions of the permit and/or previous extension:**  
Condition No. 1 regarding fish screening on Harris Spring – it is a non-fish bearing stream.  
Condition No. 2 is answered below

3. **The amount of beneficial use of water being made:** There are 44 existing houses, 60 contemplated and 6 spots that could be assigned within the boundaries of LWDC. All water is for domestic use to include irrigation of up to one-half acre for lawn or garden at .80 cubic foot per minute per house. There is storage for 30,000 gallons of water.

Sincerely,



Carolyn Gilbert  
Secretary

Encl:

1. A map showing existing homes and contemplated building.
2. A breakdown of assets



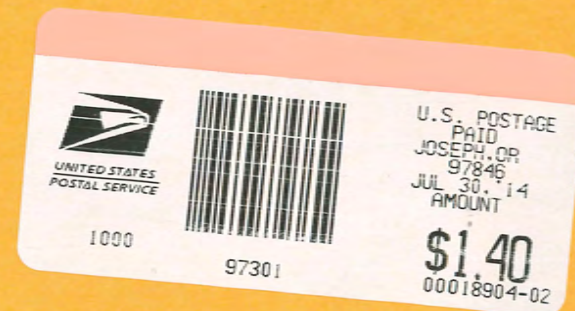
ASSETS:

Filtration Building	\$162,000.00
Pipe	127,000.00
5 Lots	00.00
	\$289,000.00

Breakdown of above costs:

Existing pipe	60,000.00
Original Contraction of Filtration Building & Equipment – 1995	100,000.00
Added 2 Sand Filters – 1997	10,000.00
Added Automatic Chlorinator & Meter	5,000.00
New Pipe Line in road - 2003	24,000.00
New 20,000 Gallon Storage Tank - 2004	32,000.00
New Pipe Line in road - 2004	43,000.00
Equipment Upgrade of System – 2007	15,000.00
	\$289,000.00

LWDC  
P.O. Box 652  
Joseph, OR 97846



WR

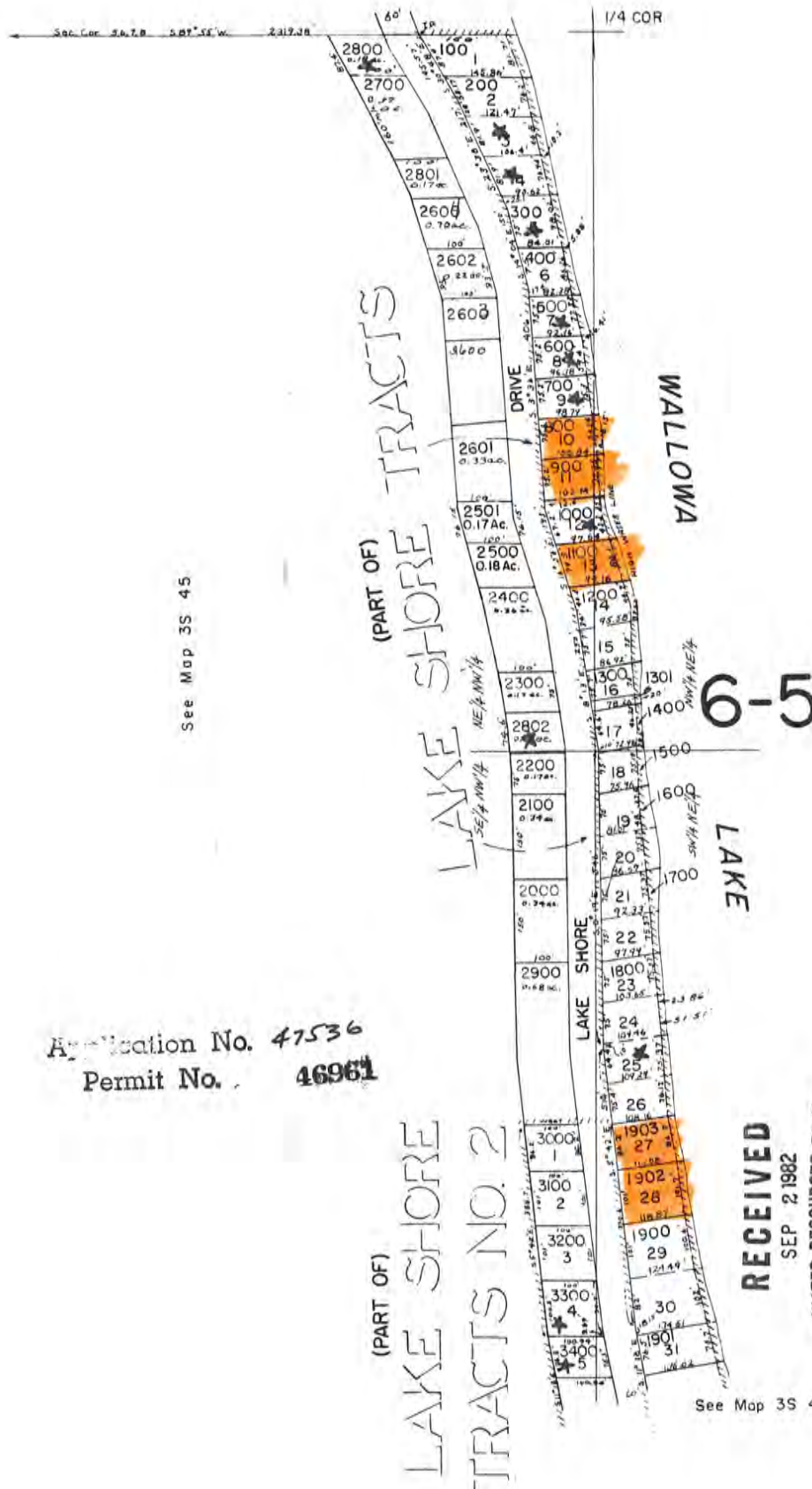
Director, Oregon Water Resources  
725 Summer ST. NE, Suite A Dept.  
Salem, OR 97301-1266

CODE: EXISTING (18)  
★ CONTEMPLATED (92)  
110

1" = 200'



See Map 3S 45 5 C



See Map 3S 45 B C



WALLOWA COUNTY

1" = 200'

See Map 3S 45 8B

SEE MAP 3S 45

Application No. 47536  
Permit No. 46961





Application No. 47536

WALLOWA COUNTY

1"=200'

LAKE S  
LAKE S

SHEET #3

(PART OF)

LAKE SHORE

TRACTS NO. 2

DRIVE

LAKE

★ Contemplated house  
Existing house

SEE MAP 3S 4S

6-5

SW 1/4 NE 1/4

WALLOWA

Application No. 47536  
Permit No. 46961

RECEIVED

SEP 2 1982

WATER RESOURCES DEPT.  
SALEM, OREGON

(PART OF)

LAKE SHORE

TRACTS NO. 3

LAKE SHORE

2200

NW 1/4 SE 1/4

# WALLOWA COUNTY

1"=200'

Application No. 47536

## LAKE SHORE TRACTS NC

1399  
1775Ac.

SHEET No. 4

POINT OF DIVERSION  
IS 550' NORTH OF  
AND 300' EAST OF  
S 1/4 COR. SEC. 17

SEE MAP 3S 45

S 1/4 COR.  
SEC. 17

(PART OF)

LAKE SHORE TRACTS NO. 3

Application No. 47536

Permit No.

46961

SEC. 20

6-5

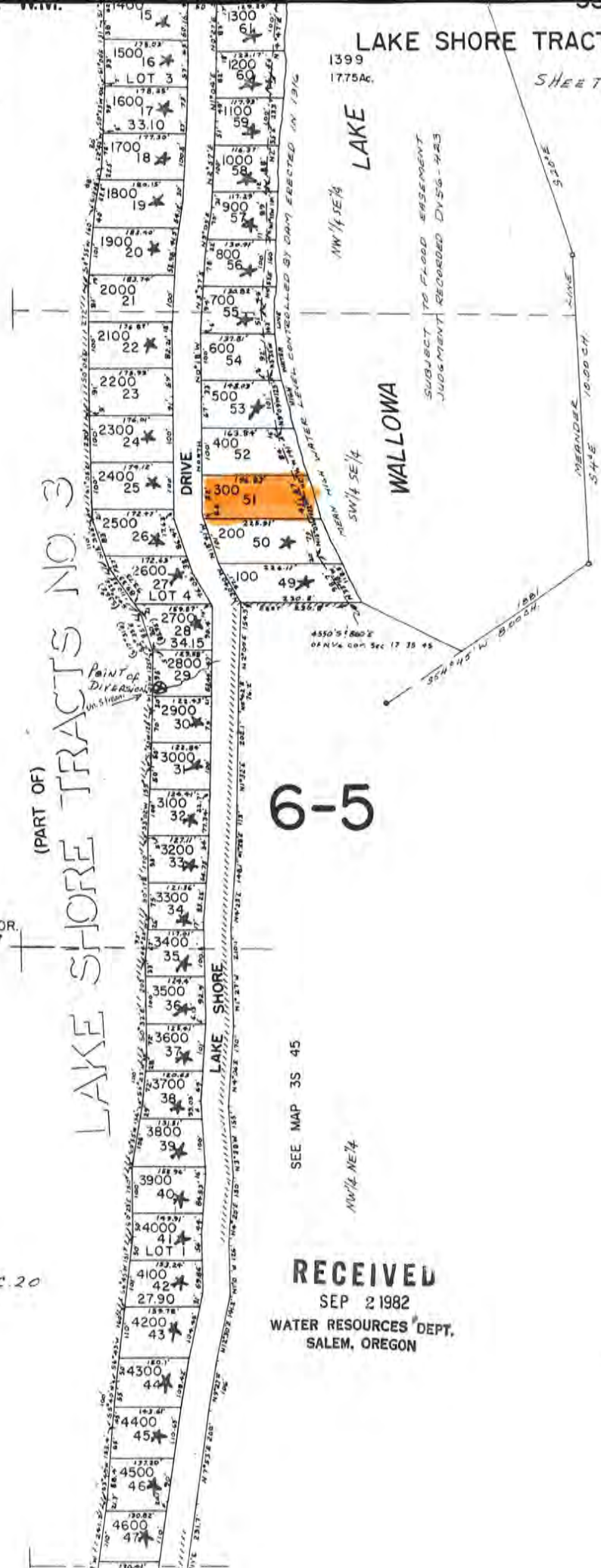
SEE MAP 3S 45

NW 1/4 NE 1/4

RECEIVED

SEP 2 1982

WATER RESOURCES DEPT.  
SALEM, OREGON





# STATE OF OREGON

WALLOWA COUNTY

## PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 47536 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Lakeshore Water and Development Coop., c/o William O. Reid, Secretary, of 206 Depot Street, Apartment 4, Enterprise, Oregon 97828, phone 426-3053, for the use of the waters of an unnamed stream, a tributary of Wallowa River, for the PURPOSE of domestic supplies for 110 families to include the irrigation of up to one-half acre noncommercial lawn or garden for each; that the PRIORITY OF THE RIGHT dates from September 17, 1970, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.80 cubic foot per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users.

The POINT OF DIVERSION is to be LOCATED: 550 feet North and 300 feet East from the South Quarter Corner of Section 17, being within the SW 1/4 SE 1/4 of Section 17, Township 3 South, Range 45 East, WM, in the County of Wallowa.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 3 South	Range 45 East, WM	Section 8	NE 1/4	NW 1/4	(Lot 1)	Domestic use
			NW 1/4	NE 1/4	(Lot 1)	for 110 fami-
			SE 1/4	NW 1/4	(Lot 2)	lies including
			SW 1/4	NE 1/4	(Lot 2)	irrigation of
			NW 1/4	SE 1/4	(Lot 3)	up to 0.5 acre
			SW 1/4	SE 1/4	(Lot 4)	noncommercial
		Section 17	NW 1/4	NE 1/4	(Lot 1)	lawn and
			SW 1/4	NE 1/4	(Lot 2)	garden each
			NW 1/4	SE 1/4	(Lot 3)	
			SW 1/4	SE 1/4	(Lot 4)	
		Section 20	NW 1/4	NE 1/4	(Lot 1)	
			SW 1/4	NE 1/4	(Lot 2)	

Actual construction work shall begin on or before October 7, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984. <sup>Extended to October 1, 1989</sup>

Complete application of the water to the proposed use shall be made on or before October 1, 1985. <sup>Extended to October 1, 1989</sup>

WITNESS my hand this 7th day of October, 1982.

/s/ JAMES E. SEXSON

WATER RESOURCES DIRECTOR

BC29

B+C Extended to 10-1-94,  
10-1-99

APPLICATION 47536

PERMIT **46961**



*Requested ext. form, but did not  
file - sent form C instead.*

## Abstract of Permit

This is to certify that I have examined APPLICATION 47536 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Lakeshore Water and Development Coop., c/o William O. Reid, Secretary, of 206 Depot Street, Apartment 4, Enterprise, Oregon 97828, phone 426-3053, for the use of the waters of an unnamed stream, a tributary of Wallowa River, for the PURPOSE of domestic supplies for 110 families to include the irrigation of up to one-half acre noncommercial lawn or garden for each; that the PRIORITY OF THE RIGHT dates from September 17, 1970, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.80 cubic foot per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users. \*

The POINT OF DIVERSION is to be LOCATED: 550 feet North and 300 feet East from the South Quarter Corner of Section 17, being within the SW 1/4 SE 1/4 of Section 17, Township 3 South, Range 45 East, WM, in the County of Wallowa.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

*Ext. form  
8-12-85UC*

Township 3 South	Range 45 East, WM	Section 8	NE 1/4	NW 1/4	(Lot 1)	Domestic use
			NW 1/4	NE 1/4	(Lot 1)	for 110 fami-
			SE 1/4	NW 1/4	(Lot 2)	lies including
			SW 1/4	NE 1/4	(Lot 2)	irrigation of
			NW 1/4	SE 1/4	(Lot 3)	up to 0.5 acre
			SW 1/4	SE 1/4	(Lot 4)	noncommercial
		Section 17	NW 1/4	NE 1/4	(Lot 1)	lawn and
			SW 1/4	NE 1/4	(Lot 2)	garden each
			NW 1/4	SE 1/4	(Lot 3)	
			SW 1/4	SE 1/4	(Lot 4)	
		Section 20	NW 1/4	NE 1/4	(Lot 1)	
			SW 1/4	NE 1/4	(Lot 2)	

Actual construction work shall begin on or before October 7, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984.

Complete application of the water to the proposed use shall be made on or before October 1, 1985.

WITNESS my hand this 7th day of October, 1982.

\_\_\_\_\_  
WATER RESOURCES DIRECTOR

APPLICATION 47536

PERMIT 46961

*\* per C, 19 homes JEP*



Application No. 47536

NW1/4 Sec. 8 T.3S. R.45E. W.M.  
WALLOWA COUNTY

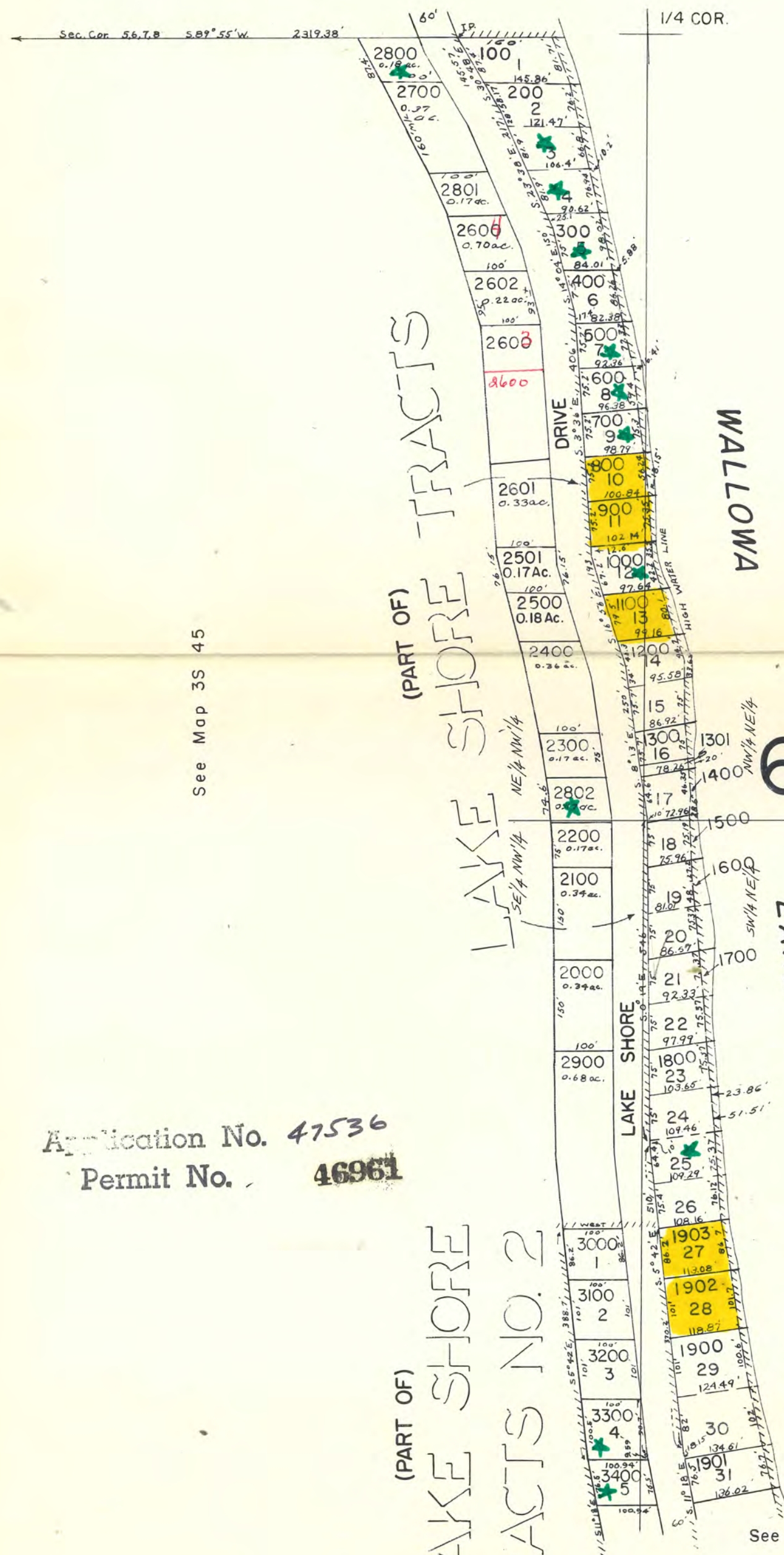
SHEET #1

CODE:      EXISTING (18)  
          \* CONTEMPLATED (92)  
                    110

1" = 200'



See Map 3S 45 5 C



See Map 3S 45

6-5

Application No. 47536  
Permit No. 46961

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SEP 2 1982  
WATER RESOURCES DEPT.  
SALEM, OREGON

See Map 3S 45 8 C



1" = 200'

See Map 3S 45 8B



SEE MAP 3S 45

Application No. 47536  
Permit No. 46961



1"=200'

LAKE S  
LAKE S

SHEET #3

Application No. 47536

N 1/4 COR.  
SEC. 17

4800  
13.4 Ac.

(PART OF)  
LAKE SHORE  
TRACTS NO. 2

SEE MAP 3 S 45

(PART OF)  
LAKE SHORE  
TRACTS NO. 3

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WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. 47536  
Permit No. 46961

Contemplated house

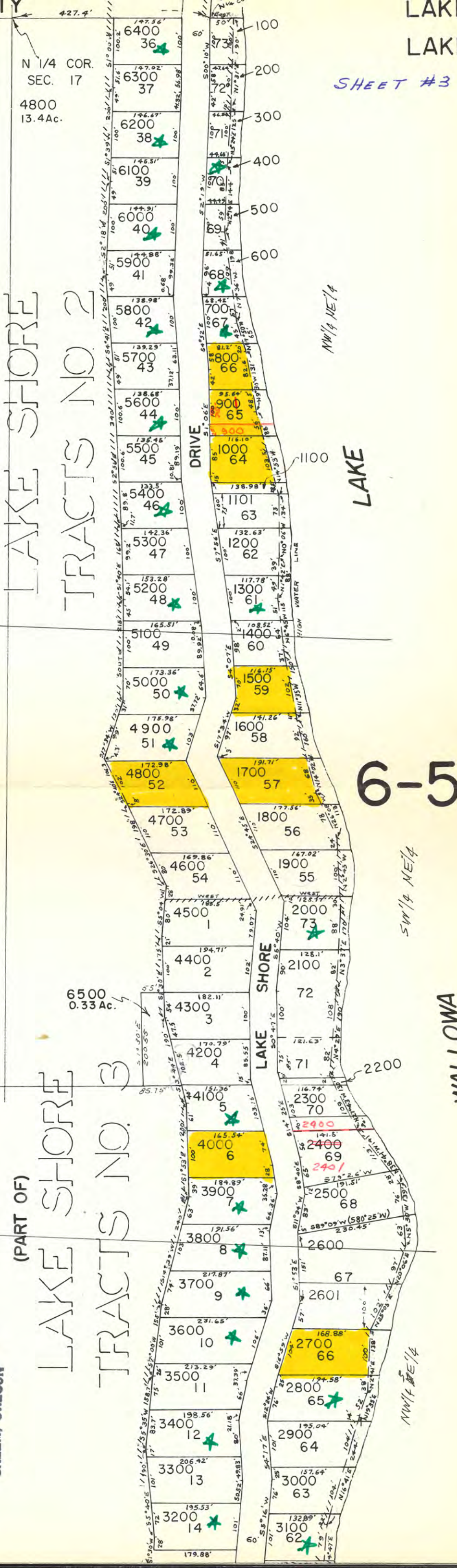
Existing house

DRIVE

LAKE

6-5

WALLOWA





$l'' = 200'$ 

APPLICATION No. 47536

# LAKE SHORE TRACTS NO

SHEET No. 4

POINT OF DIVERSION  
IS 550' NORTH OF  
AND 300' EAST OF  
S 1/4 COR. SEC. 17.

SEE MAP 3S 45

SI/4 COR.  
SEC. 17

Application No. 47536

Permit No. 46961

SEC. 20

6-5

SEE MAP 3S 45

NW 1/4 NE 1/4

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**WATER RESOURCES DEPT.  
SALEM, OREGON**

38 45 1



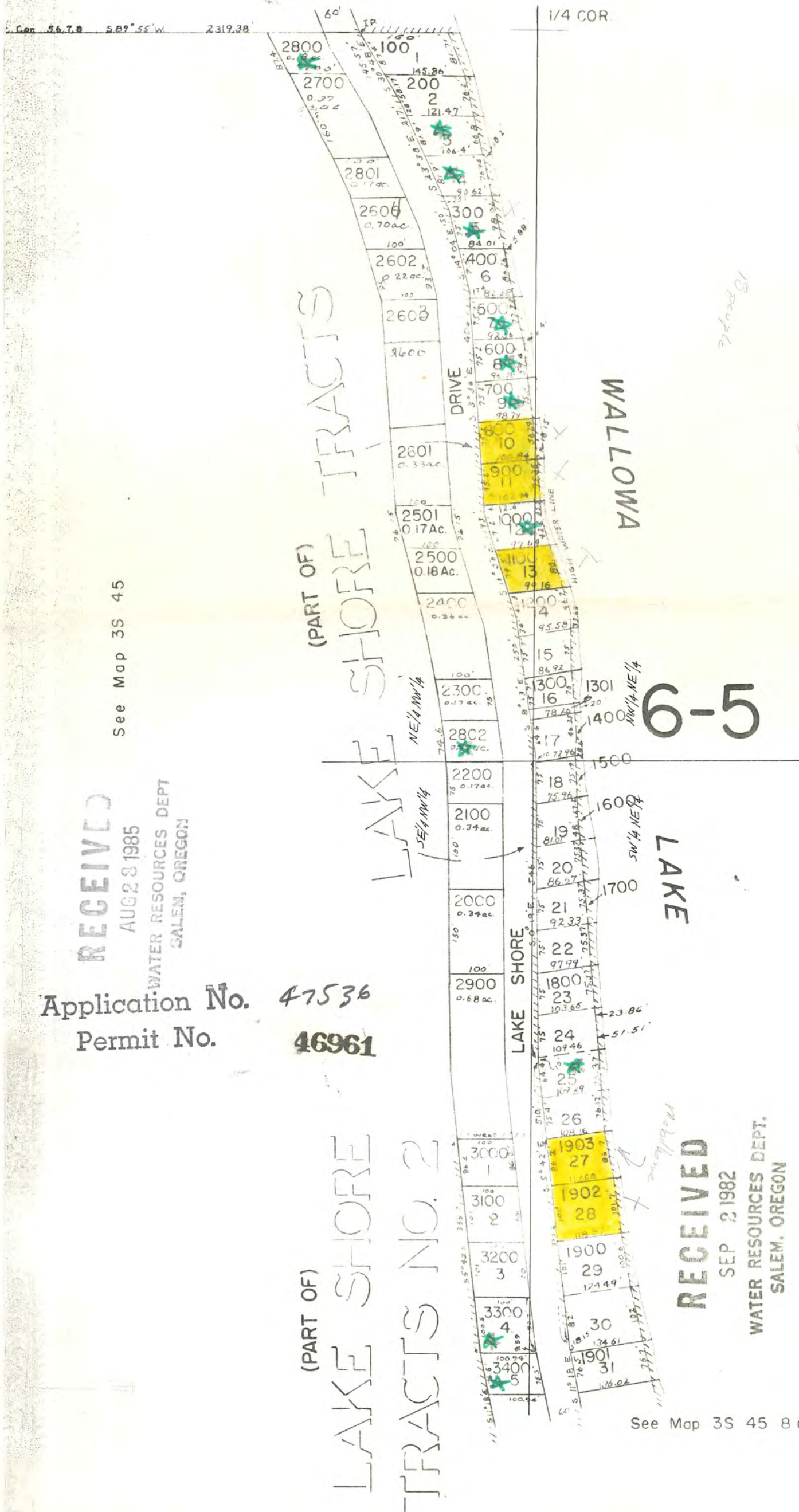
EXISTING (18)

CONTEMPLATED (92)

110

1" = 200'

See Map 3S 45 5 C



See Map 3S 45

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AUG 23 1985

WATER RESOURCES DEPT.  
SALEM, OREGON

Application No. 47536

Permit No. 46961

RECEIVED

SEP 2 1982

WATER RESOURCES DEPT.  
SALEM, OREGON

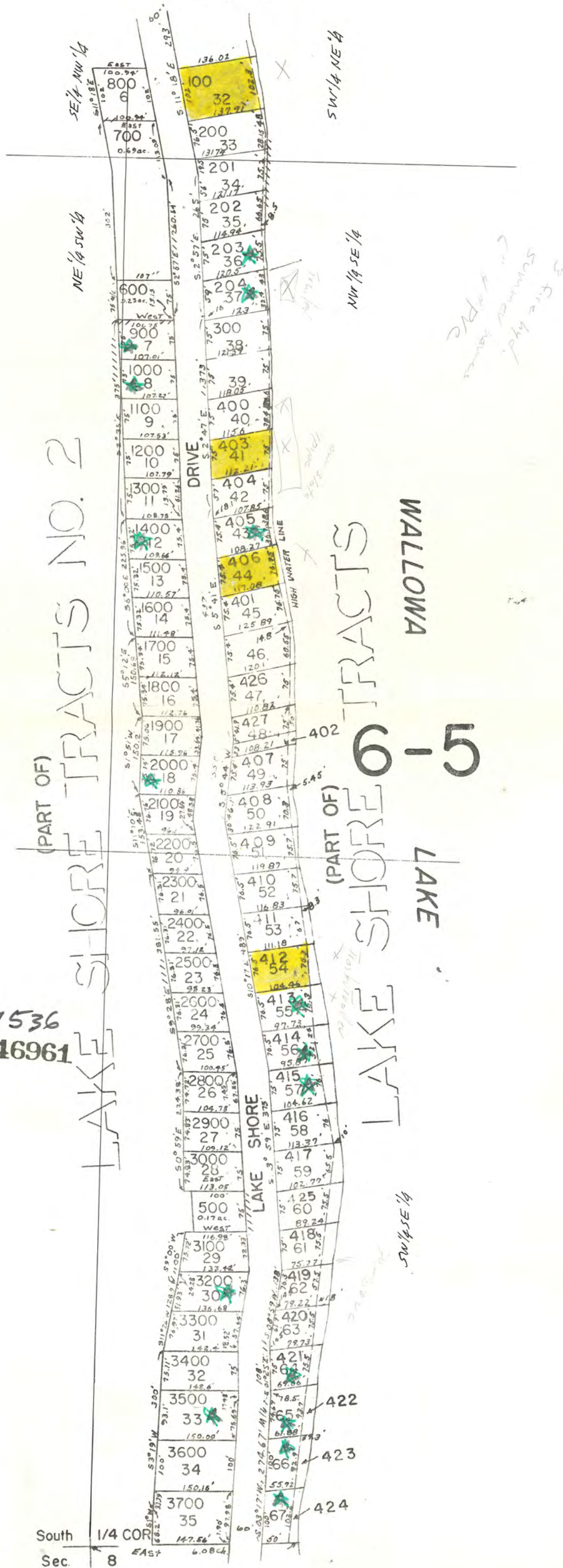
See Map 3S 45 8 C



$$1'' = 200'$$

SEE MAP 3S 45

Application No. 47536  
Permit No. 46961





Application No. 47536

WALLOWA COUNTY

1"=200'

N 1/4 COR  
SEC. 17

4800  
13.4 Ac.

SHEET #3

LAKE S

LAKE S

(PART OF)

LAKE SHORE

TRACTS NO. 2

SEE MAP 3 S 45

DRIVE

LAKE

NW 1/4 NE 1/4

6-5

Application No. 47536  
Permit No. 46961

RECEIVED

SEP 2 1982

WATER RESOURCES DEPT.  
SALEM, OREGON

(PART OF)

LAKE SHORE

TRACTS NO. 3

LAKE SHORE

SW 1/4 NE 1/4

WALLOWA

NW 1/4 SE 1/4



WALLOWA COUNTY

1"=200'

Application No. 47536

LAKE SHORE TRACTS NO. 3

1399  
17.75Ac.

SHEET No. 4

POINT OF DIVERSION  
IS 550' NORTH OF  
AND 300' EAST OF  
1/4 COR. SEC. 17.

SEE MAP 3S 45

1/4 COR.  
SEC. 17

Application No. 47536  
Permit No. 46961

SEC. 20

(PART OF)  
LAKE SHORE TRACTS NO. 3



6-5

SEE MAP 3S 45

NW 1/4 NE 1/4

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SEP 2 1982  
WATER RESOURCES DEPT.  
SALEM, OREGON



# Lakeshore Water & Development Cooperative

P.O. Box 652 Joseph, OR 97846

September 17, 2009

Mr. Dallas Miller  
Water Right Permit Extensions  
Water Resources Department  
158 12<sup>th</sup> Street NE  
Salem, Oregon 97310

RECEIVED

SEP 22 2009

WATER RESOURCES DEPT  
SALEM, OREGON


Dear Mr. Miller:

On August 30, 1999, Lakeshore Water & Development Coop was granted an extension of time for Permit #46961 (Application 47536) until October 1, 2029. As part of that extension, the permittee must submit a written progress report every five years starting October 1, 2004, covering the following 4 points. This is the report for October 1, 2009.

- a. **The amount of construction completed:** Since 2004, there has been no totally new construction. However, in 2006 a single-wide mobile home was replaced with a house in Tract 2, Lot 65 and a house was removed and replaced with another house in Tract 2, Lot 66
- b. **The amount of beneficial use of water being made:** There are 43 existing houses, 61 contemplated and 6 spots that could be assigned. All water is for domestic use to include irrigation of up to one-half acre for lawn or garden at .80 cubic foot per minute per house.
- c. **Permittee's compliance with terms and conditions of the permit:**  
Condition No. 1 regarding fish screening on Harris Spring. It is a non-fish bearing stream. Condition No. 2 has been addressed in a, b, & d.
- d. **Financial investments made toward developing the beneficial water use:** In 2004-2005 a new water main was installed in the road in order to get all the homes off the old main that was deteriorating - costing approximately \$30,000. In 2007, the filtration system was upgraded - costing approximately \$20,000. The system serves Certificate #34929, #51097 and Permit # 46961.

Please find enclosed a map for Permit #46961 showing all the existing hookups, contemplated hookups and lots that have removed from the Permit. Please notify me, if you have any questions.

Sincerely,

  
Carolyn Gilbert  
Secretary/Treasurer

Enclosure



Original Tract, Lot 3  
Original Tract, Lot 5  
Original Tract, Lot 7  
Original Tract, Lot 8  
Original Tract, Lot 10  
Original Tract, Lot 11  
Original Tract, Lot 13  
Original Tract, Lot 25  
Original Tract, Lot 27  
Original Tract, Lot 28  
Original Tract, Lot 32  
Original Tract, Lot 37  
Original Tract, Lot 40  
Original Tract, Lot 41  
Original Tract, Lot 44  
Original Tract, Lot 54  
Original Tract, Lot 55  
Original Tract, Lot 57  
Original Tract, Lot 64  
Tract 2, Lot 45  
Tract 2, Lot 65  
Tract 2, Lot 66

Tract 2, Lot 52  
Tract 2, Lot 57  
Tract 2, Lot 59  
Tract 2, Lot 64  
Tract 3, Lot 1  
Tract 3, Lot 4  
Tract 3, Lot 5  
Tract 3, Lot 7  
Tract 3, Lot 10  
Tract 3, Lot 12  
Tract 3, Lot 14  
Tract 3, Lot 49  
Tract 3, Lot 50  
Tract 3, Lot 51  
Tract 3, Lot 53  
Tract 3, Lot 57  
Tract 3, Lot 58  
Tract 3, Lot 59  
Tract 3, Lot 70  
Tract 3, Lot 71  
Tract 3, Lot 73

The following lots have been removed from Permit #46961: Original Tract Lots 65 & 67; Tract 2 Lots 42 & 67; Tract 3 Lots 24, 34, 35, 38, 39, 40, 42, 43, 44, 46, & 48. Four lots were added to Permit #46961: Original Lot 40, Tract 2 Lot 45; Tract 3 Lots 14, 53, 58, 71.

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WATER RESOURCES DEPT  
SALEM, OREGON

SW 1/4 Sec 5 T.3S. R.45E. W.M.  
WALLOWA COUNTY  
1"=200'

3S 45 5 C  
TROUTHAVEN TRACTS

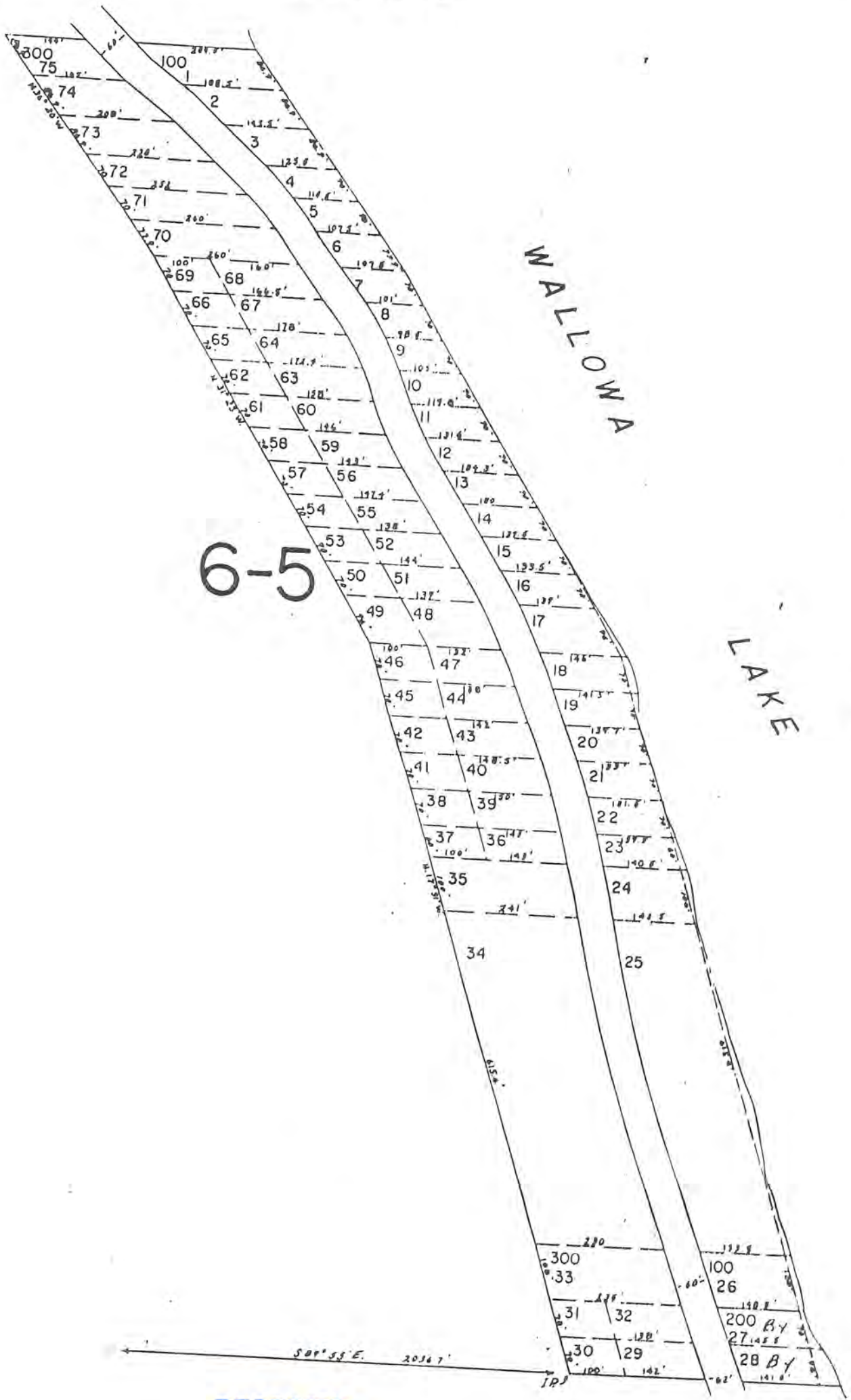
See Map 3S 45

See Map 3S 45

6-5

WALLOWA

LAKE



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WATER RESOURCES DEPT  
SALEM, OREGON

See Map 3S 45 8B

3S 45 5 C

108.5

NW1/4 Sec. 8 T.3S. R.45E. W.M.  
 WALLOWA COUNTY  
 1" = 200'

LAKE SHORE TRACTS  
 LAKE SHORE TRACTS NO. 2

See Map 3S 45 5 C

Existing Houses	43
Contemplated	61
Removed	- 15
	<hr/> 104
To be Assigned	6
	<hr/> 110

See Map 3S 45

BALLARD

(PART OF)  
 LAKE SHORE TRACTS  
 (PART OF)  
 LAKE SHORE TRACTS NO. 2



6-5

RECEIVED  
 SEP 22 2009  
 WATER RESOURCES DEPT  
 SALEM, OREGON

See Map 3S 45 8 C

2 of 5



1" = 200'

3S 45 8 C

See Map 3S 45 8B



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WATER RESOURCES DEPT  
SALEM, OREGON

-3 of 5

3S 45 8. C

See Mon 35 05 17A

WALLOWA COUNTY

1"=200'

LAKE SHORE TRACTS NO.  
LAKE SHORE TRACTS NO.

(PART OF)  
LAKE SHORE  
TRACTS NO. 2

(PART OF)  
LAKE SHORE  
TRACTS NO. 3

N 1/4 COR.  
SEC. 17  
4800  
13.4 Ac.

SEE MAP 3S 45

6500  
0.33 Ac.

DRIVE

LAKE SHORE

LAKE

WALLOWA

CANCELLED NO.  
TL 2201  
2301  
4900

*House removed + replaced w/ large house  
Mobil Home replaced w/ house*

6-5

RECEIVED

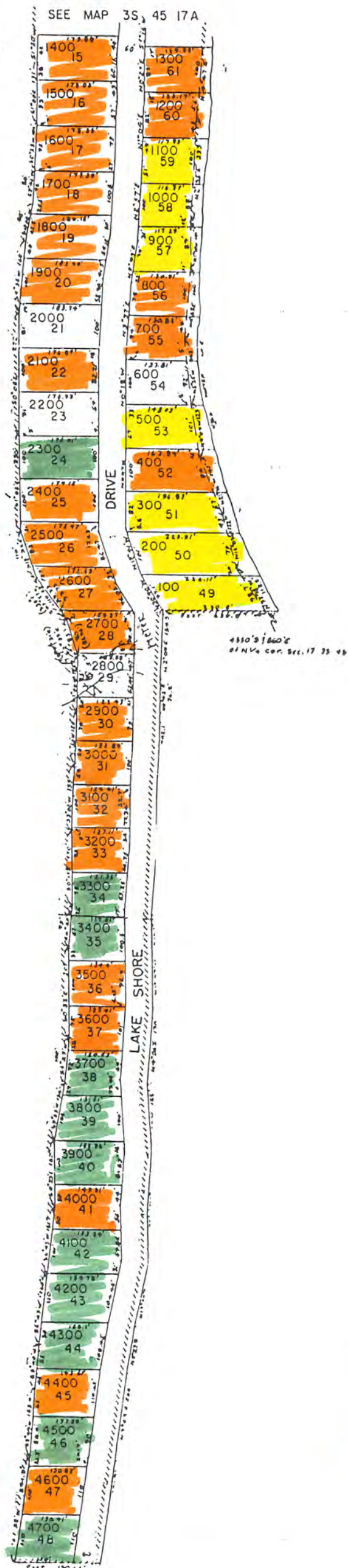
SEP 22 2009

WATER RESOURCES DEPT  
SALEM, OREGON

*4 of 5*



E 1/4 Sec. 17 T. 3 S. R. 45 E. W.M.  
WALLOWA COUNTY  
1"=200'



RECEIVED  
SEP 22 2009  
WATER RESOURCES DEPT  
SALEM, OREGON



# Lakeshore Water & Development Cooperative

P.O. Box 652 Joseph, OR 97846

August 19, 2004

Mr. Dallas Miller  
Water Right Permit Extensions  
Water Resources Department  
158 12<sup>th</sup> Street NE  
Salem, Oregon 97310



Dear Mr. Miller:

On August 30, 1999, Lakeshore Water & Development Coop was granted an extension of time for Permit #46961 (Application 47536) until October 1, 2029. As part of that extension, the permittee must submit a written progress report every five years starting October 1, 2004, covering the following 4 points.

- a. **The amount of construction completed:** Since 1999, there have been 6 additional houses constructed. Two in 1999, one in 2000, one in 2001 and two in 2002.
- b. **The amount of beneficial use of water being made:** There are 43 existing houses, 61 contemplated and 6 spots that could be assigned. All water is for domestic use to include irrigation of up to one-half acre for lawn or garden at .80 cubic foot per minute per house.
- c. **Permittee's compliance with terms and conditions of the permit:**  
Condition No. 1 regarding fish screening on Harris Spring. It is a non-fish bearing stream. Condition No. 2 has been addressed in a, b, & d.
- d. **Financial investments made toward developing the beneficial water use:** In 2004, an additional 20,000 gallon water storage tank was added to the filtration system costing \$32,000. The system serves Certificate #34929, #51097 and Permit # 46961.

Please find enclosed a map for Permit #46961 showing all the existing hookups, contemplated hookups and lots that have removed from the Permit. Please notify me, if you have any questions.

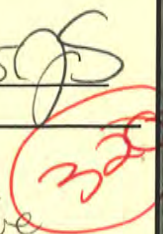
Sincerely,

Carolyn Gilbert  
Secretary/Treasurer

541-432-7535

Enclosure

## Extension of Time Checkpoint Progress Report

Published on the Department's Public Notice, dated: 3.22.05 

### PUBLIC NOTICE INFORMATION

Permit Holder: Lake Shore Water + Development <sup>Cooperative</sup>

Mailing Address: PO Box 652 Joseph, OR 97846

Application #: S-47536 Permit #: S-46961

County: Wallowa

Quantity of Water: 0.80 CFS

Source of Water: An Unnamed Stream, a tributary of Wallowa River

Permitted Use: Domestic use for 110 families to include

irrigation of up to one-half acre noncommercial lawn or garden for each

Current Authorized Extension Date: \_\_\_\_\_

10.1.2029



SW1/4 Sec. 5 T.3 S. R.45 E. W.M.

WALLOWA COUNTY

1" = 200'

3S 45 5 C

TROUTHAVEN TRACTS

See Map 3S 45

Lakeshore Water ;  
Development Coop

See Map 3S 45

6-5

WALLOWA

LAKE



See Map 3S 45 88

3S 45 5 C

145

LAKE SHORE TRACTS  
LAKE SHORE TRACTS NO. 2

See Map 3S 45 5 C



See Map 3S 45 8 C

2 of 5



SW 1/4 Sec. 8 T.3 S. R.45 E. W.M.  
WALLOWA COUNTY  
1"=200'

3S 45 8 C  
LAKE SHORE TRACTS  
LAKE SHORE TRACTS NO. 2

See Map 3S 45 8B

BALLARD

SEE MAP 3S 45

(PART OF)  
LAKE SHORE TRACTS NO. 2



WALLOWA  
LAKE  
LAKE SHORE TRACTS  
5-6

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AUG 23 2004

WATER RESOURCES DEPT  
SALEM, OREGON

3 of 5

3S 45 8 C

See Map 3S 45 17A

JE1/4 Sec.17 T.3 S. R.45E. WM. SEE MAP 3S 45 B C

3S 45 17

WALLOWA COUNTY

1"=200'

LAKE SHORE TRACTS NO.  
LAKE SHORE TRACTS NO.

(PART OF)  
LAKE SHORE  
TRACTS NO. 2

(PART OF)  
LAKE SHORE  
TRACTS NO. 3

N 1/4 COR.  
SEC. 17  
4800  
13.4 Ac.

SEE MAP 3S 45

6500  
0.33 Ac.

DRIVE

LAKE SHORE

LAKE

WALLOWA

CANCELLED NO.  
TL 2201  
2301  
4900

6-5

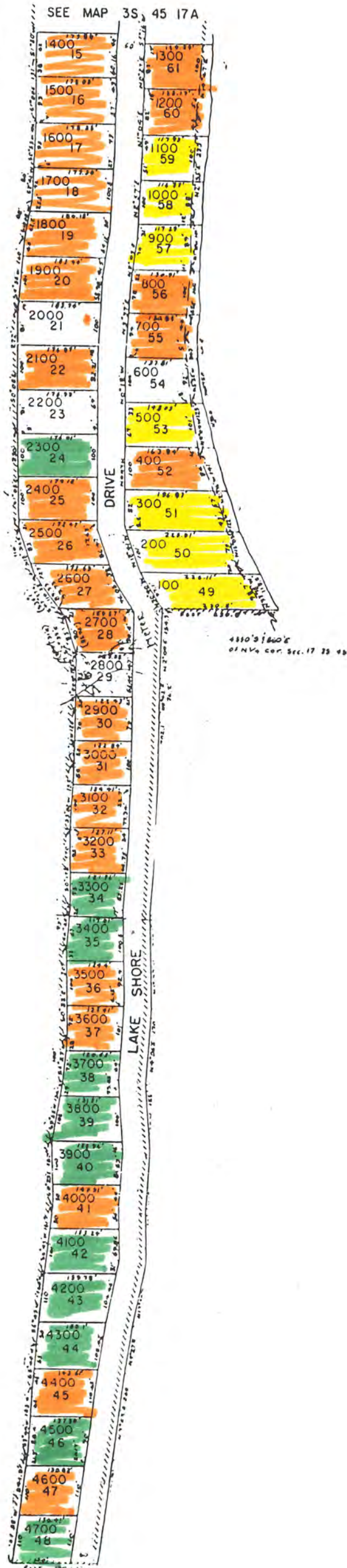
RECEIVED  
AUG 23 2004  
WATER RESOURCES DEPT  
SALEM, OREGON

4 of 5

3S 45 17



E1/4 Sec.17 T.3 S. R.45E. W.M.  
WALLOWA COUNTY  
1"=200'



RECEIVED  
AUG 23 2004  
WATER RESOURCES DEPT  
SALEM, OREGON

Oregon Water Resources Department  
Water Rights Division

Water Rights Application  
Number 47536

**Final Order**  
**Extension of Time for Permit Number 46961**

*Application History*

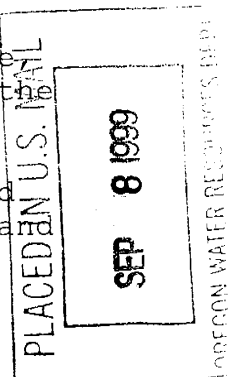
On February 16, 1999, Lake Shore Water Development Cooperative submitted an application to the Department for an extension of time for permit number 46961. The Department issued Permit number 46961 on October 7, 1982. The permit called for completion of construction of the water development project by October 1, 1984 and complete application of water to the full beneficial use by October 1, 1985. In accordance with OAR 690-320-0010(8), on April 13, 1999, the Department issued a Proposed Final Order proposing to extend the time to complete development of the water development project to October 1, 2029, and the time to fully apply water to beneficial use to October 1, 2029. The protest period closed May 28, 1999. No protest was filed.

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The permittee may submit evidence that the Oregon Department of Fish and Wildlife (ODFW) has determined screens and/or fishways are not necessary. The required screens and fishways are to be in place, functional, and approved by ODFW before October 1, 2000.

The permittee must submit a written progress report to the Department by October 1, 2004, October 1, 2009, October 1, 2014, October 1, 2019 and October 1, 2024. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include: a) The amount of construction completed;

- b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
- c) A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
- d) Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permittee is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.





Failure to submit a progress report by the due date above will result in cancellation of the undeveloped portion of the permit by the Department pursuant to ORS 537.260 or 537.410 to 537.450. Within one year after cancellation, the permittee must submit a final proof survey pursuant to ORS 537.230 and 537.250.

If the Department finds that diligence is questionable, the Department may:

- a) request the permittee to submit additional information with which to evaluate diligence;
- b) apply additional conditions and performance criteria for perfection of the right; or
- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permittee a hearing on the cancellation, if one is requested.

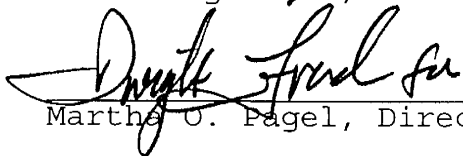
In determining whether the permittee has been diligent, the Department will consider information submitted to the Department by the permittee and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

#### Order

The extension of time for Application 47536, Permit Number 46961, therefore, is approved. The extension is issued as limited by the conditions set forth in the permit and the conditions incorporated herein. The deadline for completing construction is extended to October 1, 2029. The deadline for applying water to full beneficial use is extended to October 1, 2029.

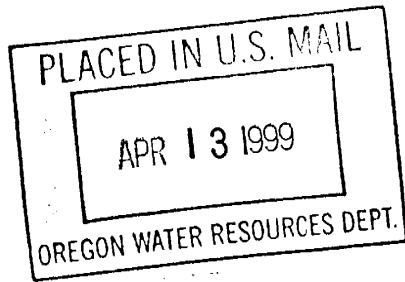
DATED August 30, 1999

  
Martha O. Pagel, Director

#### Appeal Rights

Under the provisions of ORS 536.075, the applicant may appeal this order by filing a petition for review in the Circuit Court for Marion County or the circuit court for the county in which the applicant resides or has a principal business office. The petition for review must be filed within 60 days after the date this order is served. ORS 183.484.

**Oregon Water Resources Department  
Water Rights Division**



Water Right Permit Extension Application  
for Permit Number 46961

Water Right Application Number 47536

**Proposed Final Order**

This Proposed Final Order applies only to permit number 46961.

**Summary of Recommendation**

The Department proposes to:

grant the extension for complete construction of the water system from October 1, 1999 to October 1, 2029, and

grant the extension for complete application of water from October 1, 1999 to October 1, 2029.

**Application History**

Permit no. 46961 was granted by the Water Resources Department on October 7, 1982. The permit authorizes use of 0.80 cfs of water from an unnamed stream for domestic use for 110 families to include 1/2 acre non-commercial lawn or garden each in the Willowa River basin. It specified that construction must be completed by October 1, 1984, and water applied to full beneficial use by October 1, 1985. A copy of permit no. 46961 is attached.

On February 16, 1999, the Department received an application from Lake Shore Water Development Cooperative for an extension of time to complete construction and to apply water to full beneficial use. The applicant has requested until October 1, 2029 to complete construction of the water system and until October 1, 2029 to apply water to full beneficial use. This is the fourth permit extension request.

**Findings of Fact**

ORS 537.230(2) and 537.630 (1) allows the Department to grant an extension of time to perfect a water right for good cause. In evaluating good cause, the Department has considered the written record in the permit application file in relation to the requirements of ORS 537.230(2), ORS 537.630 (1) and ORS 539.010(5) and makes the following



findings.

1. The applicant is legally entitled to apply for an extension on this permit.
2. The applicant has submitted a completed permit extension form and the required fee.
3. The water project development made to date has been accomplished in accordance with the terms and conditions contained in the permit.
4. The permittee needs more time to perfect the permit because of the 110 houses allowed under this permit, 38 have been connected. 12 of these families have been served since the last extension in 1994. Each year since the permit was issued in 1982 an average of 2.4 houses have been connected. Since there are 72 lots remaining it will take 30 years to complete water use if the new services are connected at the same yearly rate. Extending the time limits under this permit to 2029 is reasonable.
5. The applicant has pursued perfection of the right in good faith and with reasonable diligence.
  - a) Work on the water development project completed to date includes the construction of diversion, pumps, storage tanks, treatment facilities, pipelines and metering. Water has been applied to 38 families.
  - b) The applicant has invested approximately \$ 219,000 of an estimated total water system project cost of \$ 419,000.
  - c) The work remaining to be completed consists of the remaining construction of the water delivery system and complete application of water.
6. Based on the written record, the Department finds there is good cause to approve the extension request. The applicant has pursued perfection of the right in good faith and with reasonable diligence. Perfection of the permit has been delayed by the size and scope of the project and the difficulty of obtaining the land use permits from the local governments.
7. Due to the reasons outlined above in item 4 and the water development progress to date, the Department finds that the length of time requested for completion of construction should be extended to October 1, 2029 and the length of time requested for completion of the application of water should be extended to October 1, 2029 as requested by the applicant.

#### **Conclusions of Law**

1. The applicant is entitled to apply for an extension of time to complete construction and/or completely apply water to the full beneficial use pursuant to ORS 537.230, and ORS 537.630.
2. The applicant has submitted an extension application form and the fee required by ORS 536.050(1)(L).
3. The applicant has pursued perfection of the right in good faith and prosecuted construction with reasonable diligence.

4. The applicant has shown good cause for the untimely completion of the water development project and complete application of water to full beneficial use pursuant to ORS 537.230(2), and ORS 537.630 (1).
5. The permit extension should be approved until October 1, 2029 to complete construction and until October 1, 2029 to complete the application of water.

#### **Conditions**

1-The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The permittee may submit evidence that the Oregon Department of Fish and Wildlife (ODFW) has determined screens and/or fishways are not necessary. The required screens and fishways are to be in place, functional, and approved by ODFW before October 1, 2000.

2-The permittee must submit a written progress report to the Department by October 1, of the years 2004, 2009, 2014, 2019, and 2024.

. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:

- a) The amount of construction completed;
- b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
- c) A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
- d) Financial investments made toward developing the beneficial water use.

The Department will review the progress report to determine whether the permittee is exercising diligence towards completion of the project and complying with the terms and conditions of the permit and extension.

Failure to submit a progress report by the due date above will result in cancellation of the undeveloped portion of the permit by the Department pursuant to ORS 537.260 or 537.410 to 537.450. Within one year after cancellation, the permittee must submit a final proof survey pursuant to ORS 537.230 and 537.250.

If the Department finds that diligence is questionable, the Department may:

- a) request the permittee to submit additional information with which to evaluate diligence;
- b) apply additional conditions and performance criteria for perfection of the right; or



- c) cancel the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410 to 537.450. The Department will grant the permittee a hearing on the cancellation, if one is requested.

In determining whether the permittee has been diligent, the Department will consider information submitted to the Department by the permittee and any information submitted during the 30-day public comment period following public notice of submittal of the progress report.

If information is received through the public notice process indicating that the applicant has not been diligent toward completing the project, and if the director determines there are significant disputes related to the use of water, the Department will conduct a hearing.

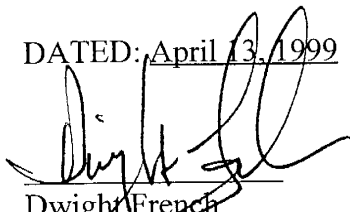
### **Recommendation**

The Department proposes to issue an order to:

extend the permit time to complete construction from October 1, 1999 to October 1, 2029 and

extend the permit time to complete application of water from October 1, 1999 to October 1, 2029.

DATED: April 13, 1999

  
Dwight French  
Water Rights Section Manager

*If you have any questions,  
please check the information  
box on the last page for the  
appropriate names and  
phone numbers.*

### **Protest Rights and Comments**

1. Under the provisions of OAR 690-320-0010(8) you have the right to protest this proposed final order. Your protest must be in writing and must include the following:
  - a) Your name, address and telephone number;
  - b) Your interest in this proposed final order, and if you claim to represent the public interest, a precise statement of the public interest represented;
  - c) A detailed description of how the action in the proposed final order would impair or be detrimental to your interest;
  - d) A detailed description of how the proposed final order is in error or deficient and how to correct the alleged error or deficiency;
  - e) Any citation of legal authority supporting your protest, if known; and
  - f) The \$25 protest fee required under ORS 536.050 (1)(j).
2. Each person submitting a protest shall raise all reasonably ascertainable issues and

all reasonably available arguments supporting the person's position by the close of the comment period.

3. The Water Resources Department must receive written protests or written comments no later than **May 28, 1999**.
4. After the close of the comment and protest period, the Director will either issue a final order, or schedule a contested case hearing if the Director finds there are significant disputes related to the use of water.

**This document was prepared by Dallas Miller. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me toll free within Oregon at 1-800-624-3199 extension 272. Outside of Oregon you can dial 1-503-378-8455.**

**If you have questions about how to file a protest or if you have previously filed a protest and want to know the status, please contact Adam Sussman. His extension number is 262.**

**If you have other questions about the Department or any of its programs please contact our Water Rights Information Group at extension 499.**





## STATE OF OREGON

WALLOWA COUNTY

### PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 47536 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Lakeshore Water and Development Coop., c/o William O. Reid, Secretary, of 206 Depot Street, Apartment 4, Enterprise, Oregon 97828, phone 426-3053, for the use of the waters of an unnamed stream, a tributary of Wallowa River, for the PURPOSE of domestic supplies for 110 families to include the irrigation of up to one-half acre noncommercial lawn or garden for each; that the PRIORITY OF THE RIGHT dates from September 17, 1970, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.80 cubic foot per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users.

The POINT OF DIVERSION is to be LOCATED: 550 feet North and 300 feet East from the South Quarter Corner of Section 17, being within the SW 1/4 SE 1/4 of Section 17, Township 3 South, Range 45 East, WM, in the County of Wallowa.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 3 South	Range 45 East, WM	Section 8	NE 1/4	NW 1/4	(Lot 1)	Domestic use	
			NW 1/4	NE 1/4	(Lot 1)	for 110 fami-	
			SE 1/4	NW 1/4	(Lot 2)	lies including	
			SW 1/4	NE 1/4	(Lot 2)	irrigation of	
			NW 1/4	SE 1/4	(Lot 3)	up to 0.5 acre	
			SW 1/4	SE 1/4	(Lot 4)	noncommercial	
			Section 17	NW 1/4	NE 1/4	(Lot 1)	lawn and
				SW 1/4	NE 1/4	(Lot 2)	garden each
			NW 1/4	SE 1/4	(Lot 3)		
			SW 1/4	SE 1/4	(Lot 4)		
			Section 20	NW 1/4	NE 1/4	(Lot 1)	
				SW 1/4	NE 1/4	(Lot 2)	

Actual construction work shall begin on or before October 7, 1983 and shall be prosecuted with reasonable diligence and be completed on or before October 1, 1984. ~~the water be~~ Extended to October 1, 1989

Complete application of the water to the proposed use shall be made on or before October 1, 1985. Extended to October 1, 1989

B+C Extended to 10-1-94  
10-1-99

WITNESS my hand this 7th day of October, 1982.

/s/ JAMES E. SEXSON

WATER RESOURCES DIRECTOR

APPLICATION 47536

PERMIT 46961

# Mailing List for PFO Extension Copies

Application #

47536

PFO Date

4/13/99

Original mailed to:

Lake Shore Water

Applicant:

Mailed  
(support staff)

on:

4/13/99

(date)

Copies sent

Regional Manager

East

Watermaster

6

ODFW

Brad Smith, Enterprise

DEQ

Tam Rosetta, Portland

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

"\$10 LETTER" sent to Interested Persons who have not protested or paid for copies



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT #

**27770**

158 12TH ST. N.E.

SALEM, OR 97310-0210

378-8455 / 378-8130 (FAX)

INVOICE #

RECEIVED FROM:

Lakeshore Water

BY:

APPLICATION

47536

PERMIT

46961

TRANSFER

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐
☒ 196387
☐

TOTAL REC'D

\$ 100.00

**0417 WRD MISC CASH ACCT**

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

**REDUCTION OF EXPENSE**

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

**0427 WRD OPERATING ACCT**

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

(New) TC165 DEPOSIT LIAB. (IDENTIFY)

\$

(Existing) TC168

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$

0206

\$

WELL CONSTRUCTION

EXAM FEE

RECORD FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

0240 OTHER (IDENTIFY)

EXT. OF TIME \$100.00

**0437 WELL CONST. START FEE**

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

**0539 LOTTERY PROCEEDS**

1302 LOTTERY PROCEEDS

\$

**0467 HYDRO ACTIVITY**

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

RECEIPT #

**27770**

DATED:

2-16-99

BY:

Roger Wright

Distribution-White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

RECEIVED

MAR 18 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

## APPLICATION FOR EXTENSION OF TIME

TO THE WATER RESOURCES DIRECTOR OF OREGON

I. Lakeshore Water & Development Coop

<u>P.O. Box 652</u>	NAME <u>Joseph</u>	<u>OR</u>	<u>97846</u>	<u>541-432-7535</u>
ADDRESS	CITY	STATE	ZIP	PHONE

record owner of application No. 47536 permit No. 46961, do hereby request that the time in which to:

☐ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19\_\_\_\_, be extended to October 1, \_\_\_\_\_, and/or the time in which to

☒ accomplish beneficial use of water to the full extent under the terms of the permit, which time, now expires on October 1, 1999, be extended to October 1, 2029.

The extension of time requested should be long enough to finish the project. Should this request be approved, it will be the Department's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.

1-Did water system construction/well drilling begin within the time specified in the permit [yes/no]? yes

2-Have you put any water to use under this permit [yes/no]? yes  
If yes, has that use been made consistent with the terms and conditions of the permit [yes/no]? yes If no, please explain.  
Which terms and/or conditions have not been completely fulfilled at this time. \_\_\_\_\_

3-I have accomplished the following described works, purchases and installation of equipment necessary to the use of water under said permit.

(a) within past year \_\_\_\_\_

(b) prior to this past year In addition to the laying of pipe starting in 1983 and installing a chlorinator in 1989, a filtration system was installed in 1995 costing \$92,491.59. This system page 1 of 3 includes a 10,000 gallon storage tank, 2 sand filters, a backflushing filter, 2 bag filters, a liquid chlorinator and a computer insertion meter.



© and have accomplished beneficial use of water to the extent of (amount of water used or acres irrigated) Out of the 110

Spots on this permit, 38 houses have been constructed -

12 of those since our last extension in 1994

4-Cost of project to date \$219,000. Projected cost for completion of project \$200,000.

5-Have there been any unforeseen events which delayed development of water system? NO

6-Have there been any significant government requirements that have delayed the completion of construction or application of water? [please explain] NO

7-What reasons was the project not completed within permit time limits? The majority of undeveloped property is retirement property. Individuals will not build until they are ready to retire. For some, that could be several years.

8-Has there been any change in the demand for water or power since permit was issued? (please explain) Yes. Since

issuance of the permit in 1983, 38 houses have been constructed.

9-Has there been any change in the market for water or power since the permit was issued? (please explain) NO.

This is a non profit cooperative

10-Will the income or use from this project provide reasonable returns against the investment in this project? (please explain)

This is a non profit enterprise where the  
income is sufficient to meet the expenses

11-If the extension request is denied, is the current level of water use economically feasible? (please explain)

No. A great number of property owners would  
be denied the ability to build homes.

12-Is there an alternative source of water available [yes/no please explain ]? No.

13-Has the use of water under the permit caused an adverse impact on the surface/groundwater resource in the area ? (please explain)

No. A small percentage of water is  
used from a high mountain spring.

All items must be completed or the application will be returned. Please feel free to provide the Department with any additional information you might have that would aid us in making our decision. Please use an additional sheet of paper, if needed.

I am the permittee or have authorization from the permittee to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for the Department to suspend processing of the request and/or reason to deny the extension.

Signature Candice Parker Albert 3-15-99  
Date

MAIL COMPLETED APPLICATION ~~AND STATUTORY FEE OF \$ 100 TO:~~  
WATER RIGHT PERMIT EXTENSIONS Already paid.  
WATER RESOURCES -MG  
158 12TH ST NE  
SALEM, OREGON 97310



RECEIVED

MAR 18 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

## Lakeshore Water & Development Cooperative

P.O. Box 652 Joseph, OR 97846

March 15, 1999

Mr. Dallas Miller  
Water Right Permit Extensions  
Water Resources Department  
158 12<sup>th</sup> Street NE  
Salem, Oregon 97310

Dear Mr. Miller:

Enclosed is our application for an extension on permit #46961 which is due to close October 1, 1999. We are requesting the extension based on the following conditions:

1. The Federal Surface Water Treatment Rule required us to install a filtration system. That system is completely installed and was updated in 1998. It has the capacity to serve all 110 spots on this permit as well as existing spots on closed Certificate #34929 and #51097 within the water district.
2. In the last application for Permit #46961, there were 25 existing houses, 79 contemplated and 6 spots that could be assigned. Since 1994, there have been 12 additional house constructed. Four were constructed in 1994, one in 1995, one in 1996, three in 1997, and three in 1998. There will be at least 4 new constructions in the next year.
3. The landownership patterns have and are drastically changing. Single owners holding large blocks for speculation are selling to individuals who have definite plans to build. Many of these individuals contemplate building at retirement. In many cases, retirement will not be for several years. Unless this permit is extended, these individuals will lose a considerable portion of their assets because their property will be essentially worthless. In some other cases, if the extension is not granted, others will be forced to hastily build inexpensive home that will cause them hardships and drastically reduce the property values in Wallowa County.

RECEIVED

MAR 18 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

Mr. Dallas Miller  
Page 2  
March 15, 1999

Please find enclosed a map showing all the existing hookups for Permit #46961. The lots are also listed below:

Original Tract, Lot 3	Tract 2, Lot 52
Original Tract, Lot 5	Tract 2, Lot 57
Original Tract, Lot 7	Tract 2, Lot 59
Original Tract, Lot 8	Tract 2, Lot 64
Original Tract, Lot 10	Tract 2, Lot 65
Original Tract, Lot 11	Tract 2, Lot 66
Original Tract, Lot 13	Tract 3, Lot 1
Original Tract, Lot 25	Tract 3, Lot 4
Original Tract, Lot 27	Tract 3, Lot 5
Original Tract, Lot 28	Tract 3, Lot 7
Original Tract, Lot 32	Tract 3, Lot 10
Original Tract, Lot 37	Tract 3, Lot 12
Original Tract, Lot 40	Tract 3, Lot 49
Original Tract, Lot 44	Tract 3, Lot 50
Original Tract, Lot 54	Tract 3, Lot 51
Original Tract, Lot 55	Tract 3, Lot 53
Original Tract, Lot 57	Tract 3, Lot 57
Original Tract, Lot 64	Tract 3, Lot 70
Tract 2, Lot 45	Tract 3, Lot 73

The following lots have been removed from Permit #46961: Original Tract Lots 65 & 67; Tract 2 Lots 42 & 67; Tract 3 Lots 24, 34, 35, 38, 39, 40, 42, 43, 44, 46, & 48. Four lots were added to Permit #46961: Tract 2 Lot 45; Tract 3 Lots 1, 4, & 70.

Thank you for your consideration of this extension and please advise me of your decision at your earliest convenience.

Sincerely,



Carolyn Gilbert  
Secretary/Treasurer

Enclosure





# Oregon

John A. Kitzhaber, M.D., Governor

## Water Resources Department

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

February 19, 1999

Lakeshore Water and Development Coop.  
PO Box 652  
Joseph, OR 97846

Application File # 47536  
Permit# 46961

Dear Lakeshore Water and Development Coop.:

The Water Resources Commission has adopted new administrative rules that govern the processing of permit extension requests. New rules were necessary to make the permit extension process consistent with advice received from the Attorney General's office last summer. Because of the Attorney General's advice, extensions will no longer be limited to one year in length for most permits and five years for municipalities and irrigation districts. You should request to extend your permit for the amount of time necessary to fully complete your project and put the water to beneficial use. Should the permit extension be approved, it is the Department's expectation that it will be the last extension granted.

In order to help staff to complete the processing of your extension applications, we will need you to fill out the enclosed form. If additional space is needed for your responses, please use a separate sheet of paper.

Please send the completed form at your earliest convenience to the following address:

Dallas Miller  
Water Right Permit Extensions  
Water Resources Department  
158 12<sup>th</sup> Street NE  
Salem, OR 97310

I would be happy to send you a copy of the new permit rules, upon request. If you have any questions, please contact me at 1-800-624-3199 x269. If I am not available, you may contact either Dallas Miller (ext. 272) or Pat Lee (ext. 276).

Sincerely,

Matthew Gerbrandt  
Permit Extension Technician

# Application for Extension of Time

**RECEIVED**

TO THE WATER RESOURCES DIRECTOR OF OREGON

 I, Lakeshore Water & Development Coop

FEB 16 1999

Name

P.O. Box 652

 WATER RESOURCES DEPT.  
SALEM, OREGON

Mailing Address

Joseph
OR
97846

City

State

Zip

 record owner of water permit No. 46961, do hereby request that the time in which to:

- ☐ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19\_\_\_\_, be extended to October 1, 19\_\_\_\_; and/or the time in which to
- ☒ accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1999, be extended to October 1, 2004

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

 (1) within the past year See Attached Letter

 (2) prior to this past year See Attached Letter

 (3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) Domestic Use Only

(If additional space is required, attach separate sheet)

Cathy Pabst Gilbert
Secretary/Treasurer

(If signing for a corporation please identify your title)

 Dated FEBRUARY 10, 1999

 MAIL COMPLETED APPLICATION AND STATUTORY FEE  
OF \$100.00 FOR EACH PERMIT TO:

 Water Resources Department  
3850 Portland Road N.E.  
Salem, Oregon 97310



# Lakeshore Water & Development Cooperative

P.O. Box 652 Joseph, OR 97846

RECEIVED

February 10, 1999

FEB 16 1999

WATER RESOURCES DEPT  
SALEM, OREGON

Mr. Steve Brown, Manager  
Applications/Permits Section  
Water Resources Department  
3850 Portland Road NE  
Salem, Oregon 97310

Dear Mr. Brown:

Enclosed is an application and our check in the amount of \$100.00 for an extension on permit #46961 which is due to close October 1, 1999. We are requesting the extension based on the following conditions:

1. The Federal Surface Water Treatment Rule required us to install a filtration system. That system is completely installed and was updated in 1998. It has the capacity to serve all 110 spots on this permit as well as existing spots on closed Certificate #34929 and #51097 within the water district.
2. In the last application for Permit #46961, there were 25 existing houses, 79 contemplated and 6 spots that could be assigned. Since 1994, there have been 12 additional houses. Four were built in 1994, one in 1995, one in 1996, three in 1997, and three in 1998. There will be at least 4 new hookups in the next year.
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Mr. Steve Brown  
Page 2  
February 10, 1999

RECEIVED

FEB 16 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

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Thank you for your consideration of this extension and please advise me of your decision at your earliest convenience.

Sincerely,



Carolyn Gilbert  
Secretary/Treasurer

Enclosure



A01 & MR

Oregon

Water Resources Department  
725 Summer Street NE Suite A  
Salem, OR 97301

ADDRESS SERVICE REQUESTED

S-47536

LAKE SHORE WATER DEVELOPMENT

PO BOX 652

JOSEPH OR 97846



# Oregon

Theodore R. Kulongoski, Governor

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

March 29, 2010

LAKE SHORE WATER DEVELOPMENT CO-OP  
PO BOX 652  
JOSEPH, OR 97846

REFERENCE: Application S-47536 / Permit S-46961

Dear Permit Holder:

The Water Rights and Adjudications Division received your written progress report for Permit S-43196 on September 22, 2009. Receipt of the progress report was published on the Department's weekly Public Notice, February 23, 2010. The Department did not receive any public comment on the progress report.

After reviewing your Progress Report, the Department determined that diligence toward completion of the project and compliance with the terms and conditions of the permit and extension has been demonstrated. For your convenience I have enclosed an additional Progress Report form due October 1, 2014.

If you have any questions, please feel free to contact me by telephone at (503) 986-0813.

Sincerely,

A handwritten signature in black ink, appearing to be "S. Kudlemyer", with a long horizontal line extending to the right.

Scott Kudlemyer  
Extensions  
Water Rights and Adjudications Division

Enclosure

cc: Application S-47536 / Permit S-46961  
Watermaster District 6 / Shad Hatten

*Note: this had been on public notice in Sept 2009  
Went on 2/23/10 <sup>(in error)</sup> PN But didn't send out this  
letter - no need to.*



## Route Slip.....Extension of Time Progress Report

### 1. Extension Specialist: Progress Report Review

Date Report Received: 9/22/2009

Report Complete: ☒ YES

☐ NO – Send letter requesting missing information.

☐ letter mailed on: \_\_\_\_\_

### 2. Jonnine: Publish on the Department's Public Notice

☐ 315 ☒ 320 OAR Division under which Progress Report was required

☒ Publish on Public Notice Date: 2/23/10

☒ Update workflow in WRIS (Fill in Extension Checkpoint 'Completed Date' in appropriate work flow record)

☒ Return to Extension Specialist

### 3. Extension Specialist: Prepare Progress Report Confirmation Letter

See \\Procedures\_progress reports

(date / mail out after 30 day comment period)

Date Letter Needed: 3/29/2010

☒ Update Progress Report Worksheet.xls

☒ Send to permit holder + anyone who made comments after 30 day public notice

CC: Watermaster #6

File S-47536

### 4. Return file to cabinet

## PUBLIC NOTICE INFORMATION

Permit Holder's Name: Lake Shore Water Development Attn: \_\_\_\_\_

Permit Holder's Mailing Address: PO Box 652  
Joseph, OR 97846

Application: S- 47536 Permit: S- 46961

County: Wallowa

Quantity of Water: 0.80 cfs

Source: An unnamed stream, tributary of Wallowa River

Use: Domestic supplies for 110 families to include irrigation of up to 1/2 acre of noncommercial or garden for each

Current Authorized Extension Date: 10/1/2029



# Oregon

Theodore R. Kulongoski, Governor

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266  
503-986-0900  
FAX 503-986-0904

October 29, 2009

LAKESHORE WATER AND DEVELOPMENT COOPERATIVE  
PO BOX 652  
JOSEPH, OR 97846

REFERENCE: Application S-47536 / Permit S-46961

Dear Permit Holder:

The Water Rights and Adjudications Division received your written progress report for Permit S-46961. Receipt of the progress report was published on the Department's weekly Public Notice, dated September 29, 2009. The Department did not receive any public comment on the progress report.

After reviewing your Progress Report, the Department determined that diligence toward completion of the project and compliance with the terms and conditions of the permit and extension has been demonstrated.

If you have any questions, please feel free to contact me by telephone at (503) 986-0813.

Sincerely,

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Scott Kudlemyer  
Extensions  
Water Rights and Adjudications Division

Enclosure

cc: Application S-47536 / Permit S-46961  
Watermaster District 6 / Shad Hatten



## Route Slip.....Extension of Time Progress Report

### 1. Extension Specialist: Progress Report Review

Date Report Received: 9/22/2009

Report Complete: ☒ YES

☐ NO – Send letter requesting missing information.

☐ letter mailed on: \_\_\_\_\_

### 2. Jonnine: Publish on the Department's Public Notice

☐ 315 ☒ 320 OAR Division under which Progress Report was required

☒ Publish on Public Notice Date: 9/29/09 JLS

☒ Update workflow in WRIS (Fill in Extension Checkpoint 'Completed Date' in appropriate work flow record)

☒ Return to Extension Specialist

### 3. Extension Specialist: Prepare Progress Report Confirmation Letter

See ..Procedures progress reports

(date / mail out after 30 day comment period)

Date Letter Needed: 10/29/2009

☒ Update Progress Report Worksheet.xls

☒ Send to permit holder + anyone who made comments after 30 day public notice

CC: Watermaster WIM # 4

File S-47536

10/29/09 JLS

### 4. Return file to cabinet

## PUBLIC NOTICE INFORMATION

Permit Holder's Name: Lakeshore Water & Development Cooperative Attn: Carolyn Gilbert

Permit Holder's Mailing Address: PO Box 652  
Joseph, OR  
97846

Application: S- 47536 Permit: S- 46961

County: Wallowa

Quantity of Water: 0.8 cfs

Source: Unnamed stream, tributary of Wallowa River

Use: Domestic supplies for 110 families to include irrigation up to one-half acre non-commercial lawn or garden for each

Current Authorized Extension Date: 10/1/2029

Please update WRIS with the following information:

## Lake Shore Water Development Coop

PH#: 541-432-7535

Timmie C. Brandt  
 Office Specialist I  
 Water Rights Division  
 Voice: (503) 986-0806  
 Office Website Address - <http://www.wrd.state.or.us>  
 E-mail: [Timmie.C.BRANDT@wrds.state.or.us](mailto:Timmie.C.BRANDT@wrds.state.or.us)  
 HAVE A NICE DAY!!!





# Oregon

Theodore R. Kulongoski, Governor

**CERTIFIED LETTER**  
Return Receipt Requested

**Water Resources Department**

North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

August 31, 2004

LAKE SHORE WATER DEVELOPMENT COOP  
PO BOX 652  
JOSEPH OR 97846

REFERENCE: Application File #S-47536 (Permit #S-46961)  
Reminder of Progress Report Due

Dear Permit Holder:

On August 30, 1999, the Department issued a Final Order approving an Extension of Time for Permit #S-46961. The Final Order extended the time in which to complete construction of the water system from October 1, 1999, to October 1, 2029, and the time in which to accomplish beneficial use of water to the full extent under the terms of Permit #S-46961 from October 1, 1999, to October 1, 2029.

The Final Order approving the Extension of Time also included the following condition in accordance with OAR 690-315-0050(6)(a) that requires:

The permittee must submit a written progress report to the Department by October 1 of the years 2004, 2009, 2014, 2019 and 2024. The report must be received by the Department not sooner than 90 days prior to the due date. The permittee's report must describe in detail the work done each year since the last extension was granted or the last progress report submitted. The report shall include:

- a) The amount of construction completed;
- b) The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, percent of total authorized use, etc.);
- c) A review of the progress of the project;
- d) Financial information.

Failure to submit a progress report may result in cancellation of the permit pursuant to ORS 536.010. If cancellation of the permit occurs, the permittee may be required to develop a new Survey, pursuant to ORS 536.010, and the project may be developed as of right.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

S-47536 LJ  
LAKE SHORE WATER  
DEVELOPMENT COOP  
PO BOX 652  
JOSEPH OR 97846

2. Article Number

(Transfer from service label)

7004 0750 0001 4171 5712

PS Form 3811, February 2004

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X Carolyn Gilbert

☐ Agent

☐ Addressee

B. Received by (Printed Name)

Carolyn Gilbert

C. Date of Delivery

9/3/04

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Domestic Return Receipt

102595-02-M-1540



# Oregon

Theodore R. Kulongoski, Governor

CERTIFIED LETTER  
Return Receipt Requested

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
FAX 503-986-0904

August 31, 2004

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PO BOX 652  
JOSEPH OR 97846

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- The amount of construction completed;
- The amount of beneficial use of water being made, including the total volume of water used, water used relative to the specific authorizations (types of use, acres irrigated, etc.) contained in the permit, and the percent of the total allowable water use that this represents;
- A review of the permittee's compliance with terms and conditions of the permit and/or previous extension; and
- Financial investments made toward developing the beneficial water use.

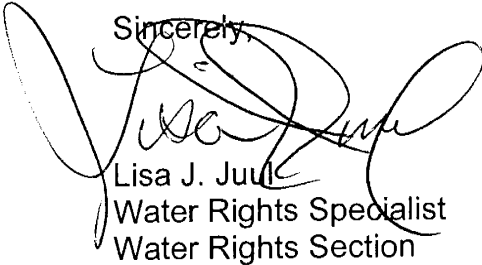
Failure to submit a progress report by the due date above will result in cancellation of the undeveloped portion of the permit by the Department pursuant to ORS 537.260 or ORS 537.410 to 537.450. Within one year after cancellation, the permittee must submit a Claim of Beneficial Use and Final Progress Survey, pursuant to ORS 537.230 and 537.250, for the portion of the permit developed as of October 1, 2004.

Page two of two  
August 31, 2004

In order to maintain the ability to continue developing water under this permit, you must submit this progress report to the Department by the October 1, 2004, deadline. For your reference, I have enclosed a copy of the Extension of Time Final Order containing this condition.

If you have any questions concerning this matter, please feel free to contact me by telephone at (503) 986-0808.

Sincerely,



Lisa J. Juul  
Water Rights Specialist  
Water Rights Section

Enclosure

cc: Application File #S-47536 (Permit #S-46961)  
Watermaster District 6



47536

RECEIVED

JUN - 7 1994

WATER RESOURCES DEPT  
SALEM, OREGON

Terry Johnston  
4222 SW Cobb Way  
Lake Oswego, Or 97035  
(503) 636-4918

Mr. Steve Brown, manager  
Applications & Permit Section  
Oregon Water Resources Dept.  
3850 Portland Rd NE  
Salem, Oregon 97310

re: State Water Permit  
Lakeshore Water & Development Coop

Dear Mr. Brown:

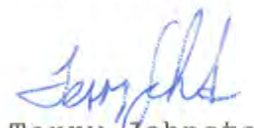
The State Water Permit for Lakeshore expires in October 1994.  
Your office was asked to extend this date by Lakeshore several months ago.

A hardship has been created for the owners and Lakeshore Coop. Owners are rushing development, selling property for protection of investment, and constructing dwellings which are not of their choice in order to avoid losing water permits. Wallowa County planning and Lakeshore Coop are having to compromise to accommodate property owners requests and attempt to handle the unnecessary work load on the Planning department.

In my own case, I am listing property for sale which represent my investments and retirement income. As a result, I will pay excessive income taxes which could have been deferred for several years. If your department would extend the permits now, I would still have a window to plan dissolution of my investment. If you delay, I will forced to sell off at the wrong time and price, to a builder or developer.

Please act promptly, delay will benefit no one. Your attention to this matter is important.

Sincerely



Terry Johnston

cc: Representative Ray Baum  
Senator Gordon Smith  
Governor Barbara Roberts

47536

10/20/96

Oregon Water Resources Department  
158 12th St. NE  
Salem, OR 97310-0210

RECEIVED

OCT 24 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

Re: Wallowa Lake Water Permits

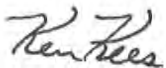
Dear Sirs,

My wife and I own several lots on the west side of Wallowa lake and have some questions concerning water rights in this area. The first question concerns a water use permit issued to the Lakeshore Water & Development Cooperative - permit #46961. Has this permit been extended, or replaced, and if so, when does the permit expire?

The second question is what do we need to do to apply for a domestic water rights permit for our property, for the purpose of household water supply? There is a year round creek which runs through the middle of our lots that we would like to draw from.

Our intent is to get our own permit and turn our water rights certificates (3) back in to the LDWC. I will be glad to provide further information concerning location of lots and future plans. Thanks for the assistance.

Sincerely,



Ken Kees  
1410 15th Street  
Lewiston, ID 83501

208-746-8610 (Home)  
208-799-3968 (Work)

November 13, 1996

KEN KEES  
1410 15TH ST  
LEWISTON ID 83501

RE: WALLOWA LAKE WATER RIGHTS

Dear Mr. Kees,

This is in response to your letter dated October 20, 1996. I apologize for the delay in our response. I will address each of your questions individually:

**Has permit 46961 been extended or replaced, and if so, when does it expire?**

Permit 46961 was issued October 7, 1982; the deadlines for completion of construction of the water system and complete application of water to use were October 1, 1984 and October 1, 1985, respectively. Those deadlines have been extended three times; the current deadline for completion of construction and complete use of water is October 1, 1999.

**What must be done to apply for a domestic water right permit to use water from a creek?**

I have enclosed all necessary application materials. Complete and submit the application and accompanying materials, being sure to follow the instructions in the accompanying brochure.

If you need further assistance, the Department's Water Right Information Group may be reached at 503-378-8455, extension 499.

Sincerely,



Mr. Cory C. Engel  
Water Right Research Assistant



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130



47536

# Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, Lakeshore Water Development Coop

Name

P.O. Box 652

Mailing Address

Joseph

City

OR

State

97876

Zip

record owner of water permit No. 46961, do hereby request that the time in which to:

☐ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19\_\_, be extended to October 1, 19\_\_; and/or the time in which to

☒ accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1994, be extended to October 1, 1999.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

(1) within the past year See Attached Letter

(2) prior to this past year See Attached Letter

(3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) Domestic Use Only

(If additional space is required, attach separate sheet)

Carolyn Parker GilbertSECRETARY / TREASURER

(If signing for a corporation please identify your title)

Dated October 20, 1993

MAIL COMPLETED APPLICATION AND STATUTORY FEE  
OF \$100.00 FOR EACH PERMIT TO:

Water Resources Department  
3850 Portland Road N.E.  
Salem, Oregon 97310

B6C 106137  
10-25-93  
\$100

B6C  
10-1-99  
JH

RECEIVED

OCT 22 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

963-2804

1. 0.8 CFS UNN. STREAM GRP Down 110 FAMILIES INCL L & S  
WALLOWA LAKE
2. FILTRATION SYSTEM DEVELOPED  
SEWER LINES INSTALLED  
25 HOMES SEWER
3. YES
4. NOT STATED
5. —
6. LARGE BLOCKS WERE NOT DEVELOPED BECAUSE OWNERS WERE SPECULATING.
7. LOTS RAPIDLY SELLING
8. YES
9. NO
10. NO
- 11./12 NO INFO.

NO LETTERS FROM WATER WATCH

BC-10-1-99

AK 6/27/94



EXTENSION CHECKLIST

FILE DOCUMENT - FOR OFFICE USE ONLY

APPLICATION NO: \_\_\_\_\_ PERMIT NO: \_\_\_\_\_

DATE: \_\_\_\_\_

1. What service area or base was anticipated by the applicant at the time the permit was granted?
2. What water right development steps has the permittee completed to date?
3. Is the permittee currently meeting all conditions of the permit?
4. What is the current use of water under the permit?
5. What percent of the total allowable use under the permit does the current use represent?
6. Have there been any unforeseen events (over which the permittee has no control) which could reasonably have delayed development under the permit?
7. Has there been any change in the market for either water or power since the permit was granted which could have affected the development program under the permit?
8. Has there been any change in demand for water or power since the permit was granted?
9. If the extension request is denied, is the current level of water use under the permit economically feasible?
10. Is there an alternate source of water available at this time?
11. Has use of water under the permit caused an adverse impact on the surface/ground water resource in the area?
12. Have there been claims of injury to other water right holders or water users in the area?

REMARKS:



RECEIVED

OCT 22 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

## Lakeshore Water & Development Cooperative

P.O. Box 652 Joseph, OR 97846

October 20, 1993

Mr. Steve Brown, Manager  
Applications/Permits Section  
Water Resources Department  
3850 Portland Road NE  
Salem, Oregon 97310

Dear Mr. Brown:

Enclosed is an application and our check in the amount of \$100.00 for an extension on permit #46961 which is due to close October 1, 1994. We are requesting the extension based on the following conditions:

1. The Federal Surface Water Treatment Rule has required us to install a filtration system. That system is currently being designed to have the capacity to serve all 110 spots on this permit as well as existing spots on closed Certificate #34929 and #51097 within the water district. Gary Burnett, from your Pendleton office, is working with us.
2. In the original application for Permit #46961, there were 18 existing houses and 92 contemplated. Since then, 1 of the 18 disconnected water and there have been 8 additional houses. Five of those were prior to October 1, 1989, 1 in 1990, and 2 more in 1992. There will be at least 4 new hookups in the next year (probably more) and 4 lots will replace RV trailers with houses.
3. The landownership patterns have and are drastically changing. Single owners holding large blocks for speculation are now rapidly selling to individuals who have definite plans to build. Many of these individuals contemplate building at retirement. In many cases, retirement is not anticipated for several years. Unless this permit is extended, these individuals will lose a considerable portion of their assets because their property will be essentially worthless. In some other cases, if the extension is not granted, others will be forced to hastily build inexpensive homes that will cause them hardships and drastically reduce the property values in Wallowa County.

Mr. Steve Brown  
Page 2  
October 20, 1993

RECEIVED  
OCT 22 1993  
WATER RESOURCES DEPT.  
SALEM, OREGON

Please find enclosed a map showing all the existing hookups for Permit #46961. The lots are also listed below:

Original Tract, Lot 10	Original Tract, Lot 64
Original Tract, Lot 11	Tract 2, Lot 52
Original Tract, Lot 13	Tract 2, Lot 57
Original Tract, Lot, 26-Water, 25-House	Tract 2, Lot 59
Original Tract, Lot 27	Tract 2, Lot 64
Original Tract, Lot 28	Tract 2, Lot 65
Original Tract, Lot 32	Tract 2, Lot 66
Original Tract, Lot 37	Tract 3, Lot 5-Water, 6-House
Original Tract, Lot 40	Tract 3, Lot 10
Original Tract, Lot 44	Tract 3, Lot 51
Original Tract, Lot 54	Tract 3, Lot 70
Original Tract, Lot 55	Tract 3, Lot 73
Original Tract, Lot 57	

The above lots with water on one lot and the house on the other lot— the same owner.

The following lots have been removed from Permit #46961: Tract 3, Lots 34, 35, 38, 40, 42, 46, and 48.

Thank you for your consideration of this extension and please advise me of your decision at your earliest convenience.

Sincerely,

Carolyn Gilbert  
Secretary/Treasurer

Enclosure

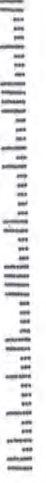
KEN KEES  
1410 15TH STREET  
LEWISTON, ID 83501



Oregon Water Resources Department  
158 12th St. NE  
Salem, OR 97310-0210

Re: Wallowa Lake Water Permits

97310-0210





STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
RECEIPT # 106137 3850 PORTLAND ROAD NE  
SALEM, OR 97310  
378-8455/378-8130 (FAX)

RECEIVED FROM: Lakeshore Water  
BY: Development Co-op.

APPLICATION	41536
PERMIT	
TRANSFER	

CASH: ☐ CHECK: # ☒ 96-87 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 100.00

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.

COST CENTER AND OBJECT CLASS

VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:

840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$ 100.00
520.000	OTHER (P-6) (IDENTIFY)	\$

WATER RIGHTS:

842.001	SURFACE WATER	\$
842.003	GROUND WATER	\$
842.005	TRANSFER	\$

WELL CONSTRUCTION

842.022	WELL DRILL CONSTRUCTOR	\$
	LANDOWNER'S PERMIT	\$
	OTHER (IDENTIFY)	\$

EXAM FEE

\$

842.002

\$

842.004

\$

842.006

EXAM FEE

\$

842.023

842.024

RECORD FEE

\$

\$

\$

LICENSE FEE

\$

\$

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #	
	MONITORING WELLS	\$	CARD #	

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

LIC NUMBER

842.011	POWER LICENSE FEE(FW/WRD)	\$
842.115	HYDRO LICENSE FEE(FW/WRD)	\$

HYDRO APPLICATION

\$

RECEIPT # 106137 DATED: 10/25/93 BY: Kurt Johnson

Distribution—White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal

# WALLOWA COUNTY

1" = 200'

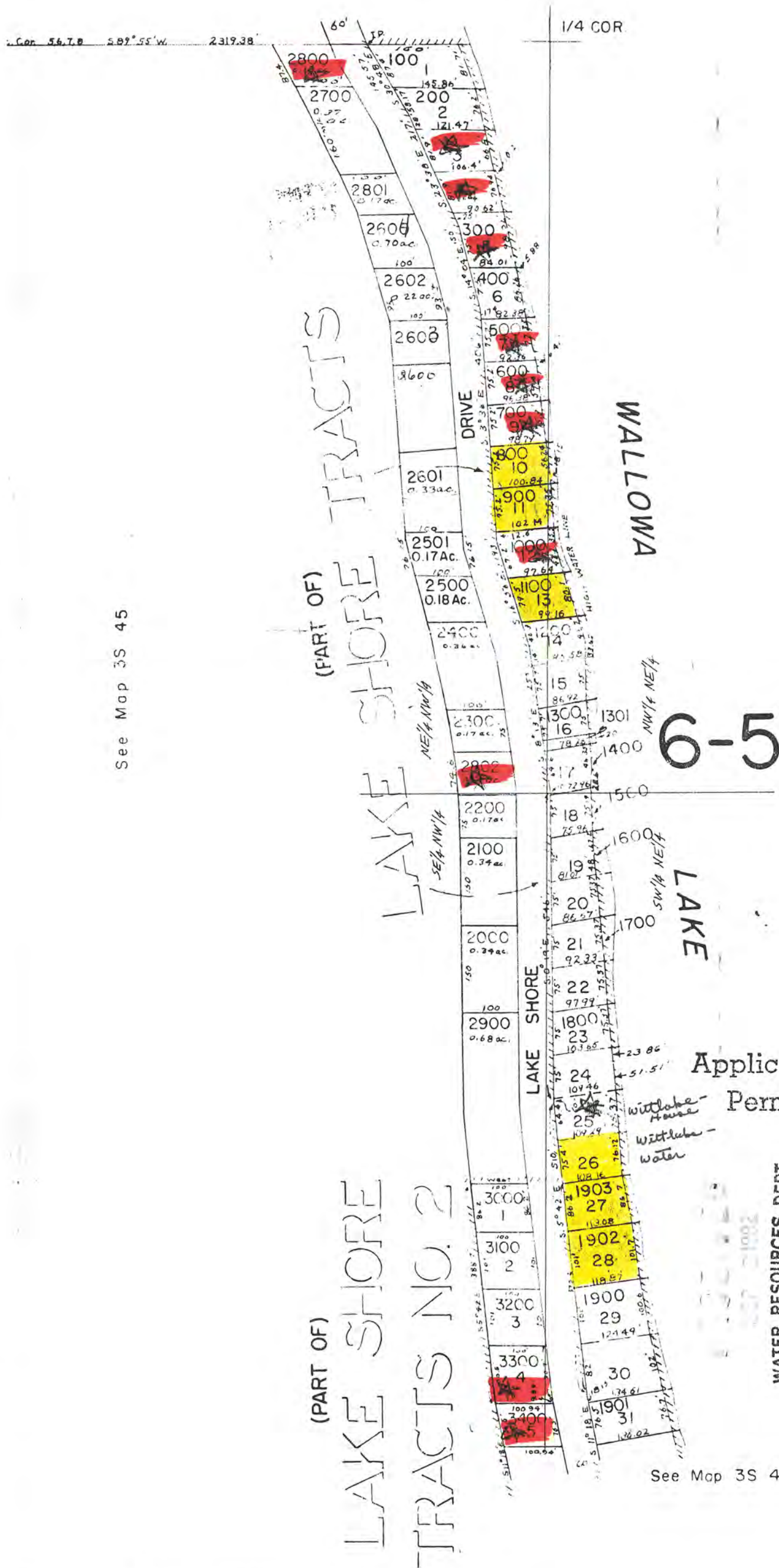
EXISTING (25)

CONTEMPLATED (79)

Open

104  
6  
110

See Map 3S 45 5 C



Application No. 47536  
Permit No. 46961

WATER RESOURCES DEPT.  
SALEM, OREGON

RECEIVED

OCT 22 1993

WATER RESOURCES DEPT.  
SALEM, OREGON



WALLOWA COUNTY

1"=200'

See Map 3S 45 8B

SEE MAP 3S 45

Application No. 47536  
Permit No. 46961



RECEIVED  
OCT 22 1993  
WATER RESOURCES DEPT.  
SALEM, OREGON



N 1/4 COR  
SEC. 17  
4800  
13.4Ac.

(PART OF)

# TRACTS NO 2

SEE MAP 3S 45

**WATER RESOURCES DEPT.  
SALEM, OREGON**

(PART OF)

Lake Shore  
Tract No. 6

## DRIVE

LAKE

4/3N 4/MS

WALL LWA

NW 1/4 SE 1/4

Application No. 47536  
Permit No. 46961

RECEIVED  
OCT 22 1993  
WATER RESOURCES DEPT.  
SALEM, OREGON



POINT of DIVERSION  
IS 550' NORTH of  
AND 300' EAST of  
1/4 COR. SEC. 17.

SEE MAP 3S 45

SI/4 COR.  
SEC. 17

SEC. 20

LAKE SHORE TRACTS (PART OF) NO. 3

LAKE SHORE

6-5

SEE MAP 3S 45

Application No. 47536  
Permit No. 46961

WATER RESOURCES DEPT.  
SALEM, OREGON

RECEIVED

OCT 22 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

SHEET No. 4

17.75Ac

1 AKE

NW 1/4 SE 1/4

WALL OWA

SUBJECT TO FLOOD EASEMENT  
INDEMENT RECORDED DV 56-423

MEANDER	10.00 CH.
---------	-----------

51

38 45



47536  
RECEIVED  
JUN 15 1994  
WATER RES. DEPT  
SALEM, OREGON  
WALLOWA COUNTY COURT

State of Oregon

Phone: 503-426-4543  
101 South River Street, Room 202

Enterprise, Oregon 97828

June 6, 1994

Steve Brown, Manager  
Applications/Permit Section  
Oregon Water Resource Department  
3850 Portland Road N.E.  
Salem, OR 97310

Dear Mr. Brown:

We are writing to express our concern about the Department's intent to restrict water certificates for the Lakeshore Water and Development Cooperative open water permit. Lakeshore has responded by requiring a dwelling by October in order to secure the water certificate on an undeveloped lot.

During the development of the Wallowa Lake County Service District, which provides sewer service to the Lakeshore area, potential density of development of the area was addressed. Several state agencies; DLCD, DEQ, EDD, DPH, ODF&W and even WRD; had input into the planning process. Withdrawal of the open permit at this time would put WRD at odds with its State Agency Coordination Agreement. In effect, it would place a moratorium on development on the west side of Wallowa Lake, an act that would need to go through the SAC process again. Goal 11 of the County's Comprehensive Land Use Plan would have to be readdressed as this would constitute a major change in the plan.

The Court also understands that the Department continues to permit municipal water systems to expand beyond their permits i.e. Metropolitan area cities, in order to continue to permit growth. The Department should not discriminate between incorporated and unincorporated areas or between urban and rural areas.

Lakeshore Drive, which services the area, was adopted by the County in order to secure a right-of-way for the sewer line. It is not a County road that meets County standards for width. The County has not yet developed a plan to bring the road to standards that would meet the expected level of traffic that would result if more dwellings are built this summer. The County needs more time to do this.



RECEIVED

JUN 15 1994

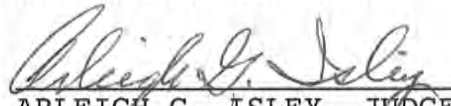
WATER RES. DIV. (200-200-0000)  
SALEM, OREGON

The Court has also received concerns from property owners that if they lose their water certificates, this would result in a taking of the value of their property. The Court shares those concerns of investment backed expectations. Of course lawsuits would ensue.

Finally, if the Department has over-allocated the water, it is not up to the Lakeshore Cooperative to reduce its water right. Obviously not all the water allocated is being used, as there is still overflow.

As you can see, the County has some credible concerns raised by the possibility of the open permit not being extended. Therefore, we urge you to extend the open permit and to notify Wallowa County of your intentions as soon as possible.

WALLOWA COUNTY COURT

  
ARLEIGH G. ISLEY, JUDGE

  
PAT WORTMAN, COMMISSIONER

  
BEN BOSWELL, COMMISSIONER

cc Caroline Gilbert  
Dave Shriner  
Ray Baum  
Gordon Smith

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF APPLICATION FOR )  
EXTENSION OF TIME IN WHICH TO )  
COMPLETE CONSTRUCTION WORK AND ) ORDER  
MAKE COMPLETE APPLICATION OF WATER )  
UNDER PERMIT 46961 )

The owner of water permit 46961 issued by the Water Resources Director has submitted application for extension of the time limits within which to complete the construction work and make complete application of water to beneficial use.

The Water Resources Director is authorized under the provisions of ORS 537.230 to grant extensions of time for good cause shown, within which to complete work to perfect a water right under a permit;


The statement in the application for extension filed regarding completion of the project indicates that the permittee has shown such reasonable diligence as entitles them to an extension of time; and

No protest or objections to the granting of an extension under the permit have been filed by any subsequent permit holders;

NOW, THEREFORE, it is hereby ORDERED that extension of time is granted as follows:

<u>PERMITTEE</u>	<u>NEW TIME LIMITS TO:</u>				
	<u>APPL.</u> <u>NUMBER</u>	<u>PERMIT</u> <u>NUMBER</u>	<u>BASIN</u> <u>NUMBER</u>	<u>COMPLETE</u> <u>CONST.</u>	<u>APPLY</u> <u>WATER</u>
LAKE SHORE WATER DEVELOPMENT COOP	47536	46961	8	10-1-99	10-1-99

Dated at Salem, Oregon this 29 day of June, 1994.

  
A REED MARBUT  
Martha O. Pagel





## STATE OF OREGON

WALLOWA COUNTY

### PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 47536 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Lakeshore Water and Development Coop., c/o William O. Reid, Secretary, of 206 Depot Street, Apartment 4, Enterprise, Oregon 97828, phone 426-3053, for the use of the waters of an unnamed stream, a tributary of Wallowa River, for the PURPOSE of domestic supplies for 110 families to include the irrigation of up to one-half acre noncommercial lawn or garden for each; that the PRIORITY OF THE RIGHT dates from September 17, 1970, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.80 cubic foot per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users.

The POINT OF DIVERSION is to be LOCATED: 550 feet North and 300 feet East from the South Quarter Corner of Section 17, being within the SW 1/4 SE 1/4 of Section 17, Township 3 South, Range 45 East, WM, in the County of Wallowa.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 3 South - Range 45 East, WM	Section 8	NE 1/4	NW 1/4	(Lot 1)	Domestic use for 110 families including irrigation of up to 0.5 acre noncommercial lawn and garden each
		NW 1/4	NE 1/4	(Lot 1)	
		SE 1/4	NW 1/4	(Lot 2)	
		SW 1/4	NE 1/4	(Lot 2)	
	Section 17	NW 1/4	SE 1/4	(Lot 3)	
		SW 1/4	SE 1/4	(Lot 4)	
		NW 1/4	NE 1/4	(Lot 1)	
		SW 1/4	NE 1/4	(Lot 2)	
	Section 20	NW 1/4	NE 1/4	(Lot 1)	
		SW 1/4	NE 1/4	(Lot 2)	
		NW 1/4	NE 1/4	(Lot 1)	
		SW 1/4	NE 1/4	(Lot 2)	

Actual construction work shall begin on or before October 7, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984. ~~Extended to October 1, 1989~~

Complete application of the water to the proposed use shall be made on or before October 1, 1985. ~~Extended to October 1, 1989~~

WITNESS my hand this 7th day of October, 1982.

/s/ JAMES E. SEXSON

WATER RESOURCES DIRECTOR

GORDON H. SMITH  
DISTRICT 29



STATE SENATE  
SALEM, OREGON  
97310

cc: Tam S.  
file

REPLY TO ADDRESS INDICATED:

- ☒ Senate Chamber  
Salem, OR 97310  
(503) 378-8074
- ☐ P. O. Box 278  
Pendleton, OR 97801  
(503) 278-1129

RECEIVED

JUN 27 1994

WATER RESOURCES DIVISION  
SALEM, OREGON

June 24, 1994

Mr. Reed Marbut  
Administrator, Water Rights Division  
Department of Water Resources  
Commerce Building  
Salem, Oregon 97310

Dear Reed:

Carolyn Gilbert of the Wallowa Lakeshore Water & Development Cooperative has informed me that the co-op has submitted what they understand to be the necessary documentation of its accomplishments as this present water permit period comes to a close in October.

I am pleased that the Department will take action on the request in July. I share the concerns of the Wallowa County Court as expressed in their June 6th letter to Steve Brown of your Permit Section, as well as those of the many affected property owners at Wallowa Lake; therefore, I would appreciate being kept apprised of the process as it unfolds. Also, please let me know if the documentation materials provided by the co-op fulfill the Department's requirements for the use of the Director in making a decision on the request for a permit extension.

Thank you for your help.

Sincerely,

Gordon H. Smith  
State Senator

GHS: kr

cc: Mr. Steve Brown, Department of Water Resources, Permit Section  
Wallowa County Court  
Carolyn Gilbert, Lakeshore Water & Development Cooperative

May 26, 1994

Lloyd M. and Patricia A. Fowler  
2117 SE Eagle  
Gresham, OR 97080

Reference **File 47536**

Dear Mr. and Mrs. Fowler:

**The Lake Shore Development Coop submitted an application for extension of time request on October 22, 1993.**

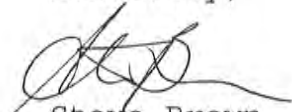
The extension request, however, was one year ahead of schedule. The permit has an approved extension until October 1, 1994.

Staff will process the 1994 extension request in July, 1994. We will require the permittee to submit the necessary documentation as to what was accomplished during the previous five year extension. The Director will use that data to decide upon their request.

ORS 537.230, 539.010 and OAR 690-11-205 (3)(4) allow for up to five year extensions for good cause shown. The permittee already had two-five year extensions of time for permit development. Neither the law nor the rule limit the number of extensions a permittee may have.

Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,



Steve Brown  
Water Rights Program Analyst  
Water Right/Adjudication Division

cc: Senator Gordon Smith  
Representative Ray Baum  
Reed Marbut, Administrator





## ROUTING - REQUEST

Please

☐

READ

To

SS

☐

HANDLE

cc to sen letters

☐

APPROVE

please

and

☐

FORWARD

set up

☐

RETURN

7/1/94

☐

KEEP OR DISCARD

T shook

☐

REVIEW WITH ME

Date \_\_\_\_\_

From Steve B.

WATER

RESOURCES

DEPARTMENT

May 26, 1994

Wayne Powell  
P.O. Box 596  
Sisters, OR

Reference File 47536

Dear Mr. Powell:

The Lake Shore Development Coop submitted an application for extension of time request on October 22, 1993.

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Please feel free to contact me if you have any questions and I will be happy to address any concerns you may have.

Sincerely,



Steve Brown  
Water Rights Program Analyst  
Water Right/Adjudication Division

cc: Senator Gordon Smith  
Representative Ray Baum  
Reed Marbut, Administrator



May 26, 1994

Lloyd M. and Patricia A. Fowler  
2117 SE Eagle  
Gresham, OR 97080

Reference File 47536

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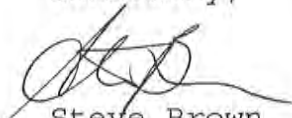
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Sincerely,



Steve Brown  
Water Rights Program Analyst  
Water Right/Adjudication Division

cc: Senator Gordon Smith  
Representative Ray Baum  
Reed Marbut, Administrator





47536  
**RECEIVED**

**MAY 25 1994**

**WATER RESOURCES DEPT.  
SALEM, OREGON**

L.M. & Patricia Fowler  
2117 SE Eagle  
Gresham OR 97080  
May 23, 1994

Mr. Steve Brown, Manager  
Applications & Permit Section  
Oregon Water Resources Department  
3850 Portland Road NE  
Salem, Oregon 97310

Re: State Water Permit  
Lakeshore Water & Development Coop

Dear Mr. Brown:

We are writing in regards to the above a extension applied for by the Lakeshore Water & Development Cooperative on October 20, 1993. We understand that Teri Kucera, who represents Representative Ray Baum's office was advised by telephone that The Water Resources Department would not be able to advise before at least July 1, 1994 whether extension of the applied for permit would be extended or not.

We are making a formal request for extension as this would create a serious hardship for us. We are self employed people. We do not have a retirement plan provided by an employer....the Lakeshore property is our retirement plan!!! At the time of purchase we had hoped to build a home or sell the property depending on our finances at the time of retirement. With the tremendous activity an October deadline would cause on the available construction resources I feel it would be near impossible to seek financing and construct a home in that short of period. I am sure many, as we would be forced into building cheaper and marginal dwellings than originally planned. This would ultimately reduce property values and lessen future revenue for Wallowa County.

We recently attended a planning meeting in Enterprise. I had the feeling this impending due date would cause a great hardship on the Wallowa County Planning Office and sewer system. Let alone the negative environmental impact that could be circumvented by slower planned growth.

I feel it is important that you consider a more prompt advisement if we are being granted an extension. If extension is granted to allow as much time as possible for sane, planned construction. Thank you for your time.

Sincerely,

*Patricia A. Fowler*

Lloyd M. and Patricia A. Fowler

*Lloyd M. Fowler*  
cc: Representative Ray Baum  
Senator Gordon Smith



47536

RECEIVED

JUN - 7 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

Terry Johnston  
4222 SW Cobb Way  
Lake Oswego, Or 97035  
(503) 636-4918

Mr. Steve Brown, manager  
Applications & Permit Section  
Oregon Water Resources Dept.  
3850 Portland Rd NE  
Salem, Oregon 97310

re: State Water Permit  
Lakeshore Water & Development Coop

Dear Mr. Brown:

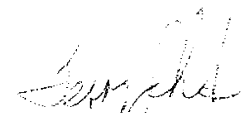
The State Water Permit for Lakeshore expires in October 1994. Your office was asked to extend this date by Lakeshore several months ago.

A hardship has been created for the owners and Lakeshore Coop. Owners are rushing development, selling property for protection of investment, and constructing dwellings which are not of their choice in order to avoid losing water permits. Wallowa County planning and Lakeshore Coop are having to compromise to accommodate property owners requests and attempt to handle the unnecessary work load on the Planning department.

In my own case, I am listing property for sale which represent my investments and retirement income. As a result, I will pay excessive income taxes which could have been deferred for several years. If your department would extend the permits now, I would still have a window to plan dissolution of my investment. If you delay, I will forced to sell off at the wrong time and price, to a builder or developer.

Please act promptly, delay will benefit no one. Your attention to this matter is important.

Sincerely



Terry Johnston

cc: Representative Ray Baum  
Senator Gordon Smith  
Governor Barbara Roberts

47536

Terry Johnston  
4222 SW Cobb Way  
Lake Oswego, Or 97035  
(503) 636-4918

RECEIVED

JUN - 7 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

Mr. Steve Brown, manager  
Applications & Permit Section  
Oregon Water Resources Dept.  
3850 Portland Rd NE  
Salem, Oregon 97310

re: State Water Permit  
Lakeshore Water & Development Coop

Dear Mr. Brown:

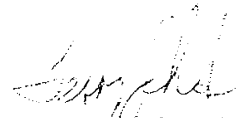
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Please act promptly, delay will benefit no one. Your attention to this matter is important.

Sincerely

  
Terry Johnston

cc: Representative Ray Baum  
Senator Gordon Smith  
Governor Barbara Roberts



June 29, 1994

LAKESHORE WATER AND DEVELOPMENT COOPERATIVE  
PO BOX 652  
JOSEPH, OR 97846

REFERENCE FILE: 47536

We have received your application for extension of the time limits to complete construction of the water system and make complete application of water under your permit 46961. We also have your check for \$100. Our receipt number 106137 is enclosed.

The application indicates reasonable diligence toward completion of the proposed project. The time limits to complete construction and make complete application of water are extended to October 1, 1999. A copy of the order is enclosed.

If you have any questions, contact the Water Rights Section at 378-3739.

Sincerely,

Thomas E. Shook  
Water Right Specialist

cc: Wallowa County Court  
Wallowa County Planning Department  
Terry Johnston  
Wayne Powell  
Lloyd and Patricia Fowler



---

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

June 29, 1994

Senator Gordon H. Smith  
P.O. Box 278  
Pendleton, Or 97801

REFERENCE FILE: 47536

Dear Senator Smith:

Reed Marbut, Administrator Water Rights Division, has asked me to respond to your letter dated June 24, 1994 about Lakeshore Water and Development Cooperative's water use permit 46961.

The documentation materials provided by the Co-op fulfilled our requirements. A copy of the order granting an extension of time limits to October 1, 1999 is enclosed.

Please contact Reed or me if you have any questions. Our telephone number is 378-3739.

Sincerely,

Thomas E. Shook  
Water Right Specialist

cc: Lakeshore Water and Development Co-op



---

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

June 29, 1994

Representative Ray Baum  
P.O. Box 2902  
LaGrande, Or 97850

REFERENCE FILE: 47536

Dear Representative Baum:

Reed Marbut, Administrator Water Rights Division, has asked me to respond to your inquiry about Lakeshore Water and Development Cooperative's water use permit 46961.

The documentation materials provided by the Co-op fulfilled our requirements. A copy of the order granting an extension of time limits to October 1, 1999 is enclosed.

Please contact Reed or me if you have any questions. Our telephone number is 378-3739.

Sincerely,

Thomas E. Shook  
Water Right Specialist

cc: Lakeshore Water and Development Co-op



---

Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130



5-17-94

Steve Brown, manager  
Applications / Permit Section  
Oregon Water Resources Department  
3850 Portland Road NE  
Salem, OR 97310

RECEIVED

MAY 19 1994  
WATER RESOURCES DEPT.  
SALEM, OREGON

549-1196

Dear Mr. Brown:

I am a member of Lakeshore Water and Development Cooperative of Joseph, Oregon and own tax lots 1800, 1900, 2000, and 2100. This land was purchased for possible retirement; however, if the water permit is not extended it will be financially impossible to build before the permit expires October 1994. For us, this would be a financial catastrophe—we would own 4 lots without water and the land would be next to worthless and impossible to even sell. Only one lot is on the open water permit; we intended to build on it with the others as a privacy buffer.

Because the filtration system will soon be installed and because many folks like us will be possibly forced to sell (unlikely under the surrounding circumstances) or build quickly (smaller and cheaper thus reducing all property values), you must grant an extension. Without it, our economic future will nose dive. Grant the extension; grant us time.

Sincerely,

Wayne Powell  
P.O. Box 596

Sisters, OR 97759

cc: Senator Gordon Smith  
Representative Ray Baum





Permit No. ....

## \*APPLICATION FOR PERMIT

## To Appropriate the Public Waters of the State of Oregon

*Lake Shore Water Development Corp*

I, NORMAN THORGERSEN, Secretary of Milton Box Company  
 of 206 West 4th (Name of applicant) Enterprise, Ok 97828  
P. O. Drawer 1168 Pendleton, Oregon 97801  
 (Mailing address)

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 1917 - Oregon

1. The source of the proposed appropriation is an unnamed stream flowing through  
Sections 17 & 18, Twn 35, R 45 (Name of stream)  
EWM (on West side of Wallowa  
Lake), a tributary of Wallowa River

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

4. The point of diversion is located 4,723 feet South and  
34 feet West of the North Quarter corner of Section 17,  
Township 3 South, Range 45 E.W.M. Wallowa County. Said point  
being within Lot 4 (SW $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section 17.

5. The pipe line to be Approx. 6,350 feet  
 (Main ditch, canal or pipe line) (Miles or feet)  
 in length, terminating in the Lot 3 (NW SE) of Sec. 8, Tp. 3 South,  
 (Smallest legal subdivision) (N. or S.)  
 R. 45 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 ..... 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)

(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.

\*\*Application 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 ..... 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.

(c) Length of pipe, 6,350 ft.; size at intake, 6 in.; size at 2000 ft. from intake 3 in.; size at place of use 3/4 in.; difference in elevation between intake and place of use, 150 ft. Is grade uniform? Gradual Slope Estimated capacity, At intake a concrete tank or reservoir 6' x 6' x 5'.  
-sec. ft.-

8. Location of area to be irrigated, or place of use ..... domestic

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
3 South	45 EWM	Sec 8	Lot 3 (NW SE)	Domestic
"	"	"	Lot 4 (SW SE)	"
"	"	17	Lot 1 (NW NE)	"
"	"	"	Lot 2 (SW NE)	"
"	"	"	Lot 3 (NW SE)	"
"	"	"	Lot 4 (SW SE)	"

Note: The water is to be used on lots within Lake Shore Tracts, Lake Shore Tracts II and Lake Shore Tracts III as well as lots to be platted on two additional subdivisions planned for the area just West of those existing subdivisions. Existing and planned subdivisions are within the area described above.

(If more space required, attach separate sheet)

(a) Character of soil ..... gravel loam

(b) Kind of crops raised ..... none

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 Summer home project  
Wallowa County, having a present population of 29 homes and 1 lodge  
(Name of)  
and an estimated population of 150 homes in 1975.  
(b) If for domestic use state number of families to be supplied 70 homes at present  
~~with about 150 by 1975~~  
(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ 10,000.00  
12. Construction work will begin on or before October 15, 1970  
13. Construction work will be completed on or before June 15, 1971 (Weir only)  
14. The water will be completely applied to the proposed use on or before upon completion;  
estimated June 1971 1975.

MILTON BOX COMPANY

(Signature of applicant)

By: [Signature]

Remarks: Property involved abutts or is overlooking Wallowa Lake.  
It has been partly developed for recreation home or cabin sites.  
Further development is planned with estimated hookons to go from  
30  
approximately XXX at present to 150 by 1975. The pipeline will run  
Northerly from the point of diversion. Each residence will be serviced  
by a 3/4" hookon.

Prints of Lake Shore Tracts, Lake Shore Tracts II and III are  
enclosed.

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 and completion

In order to retain its priority, this application must be returned to the State Engineer, with correc-  
tions on or before December 7th, 19 70  
March 22nd 71  
July 12th 71

WITNESS my hand this 6th day of October, 19 70  
21st January 71  
12th May 71  
27th May 1982

RECEIVED  
MAY 26 1971  
STATE ENGINEER  
SALEM, OREGON

RECEIVED  
FEB 25 1971  
STATE ENGINEER  
SALEM, OREGON

RECEIVED  
DEC 7 1970  
STATE ENGINEER  
SALEM, OREGON

CHRIS L. WHEELER

STATE ENGINEER

Larry W. Jebousek

ASSISTANT

PERMIT

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 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 ..... 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 .....

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

If for irrigation, this appropriation shall be limited to ..... 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 priority date of this permit is .....

Actual construction work shall begin on or before ..... and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

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

STATE ENGINEER

SUPERSEDED  
Application No. 47536

Permit No. ....

PERMIT

TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE  
OF OREGON

This instrument was first received in the  
office of the State Engineer at Salem, Oregon,  
on the 17<sup>th</sup> day of Sept.,  
1971, at 8 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. .... of  
Permits on page .....

STATE ENGINEER

Drainage Basin No. 8 page 356

Fees .....



2807B

SUPERSEDING

Application No. 47536

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIVED

Application for Permit to Appropriate Surface Water

JUL 1 1982

WATER RESOURCES DEPT  
SALEM, OREGON

I, LAKESHORE WATER AND DEVELOPMENT COOP  
c/o Wm. O. Reid, Secretary (Name of Applicant)

of 206 Depot St., Apt. #4, Enterprise, Oregon  
(Mailing Address) (City)

State of Oregon, 97828 Phone No. 503-426-3053 do hereby  
(Zip Code)

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is An unnamed stream flowing through

Sections 17 & 18, T3S, R45 EWM, a tributary of Wallowa River

2. The point of diversion is to be located 470 550 ft. North and 450 300 ft. East  
(N. or S.) (E. or W.)

from the S 1/4 corner of Sec. 17 Said point being within Lot 4 (SW 1/4 SE 1/4)  
(Public Land Survey Corner)

Sec. 17, T3S, R 45 EWM

(If there is more than one point of diversion, each must be described)

being within the SW 1/4 of the SE 1/4 of  
Sec. 17 Tp. 3 S R. 45, W. M., in the county of Wallowa  
(N. or S.) (E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
3 South	45 EWM	8	Lot 1 (NW NE) 1182 8/30/82 Lot 2 (SE NW)	Domestic
"	"	"	Lot 3 (NW SE)	"
"	"	"	Lot 4 (SW SE)	"
"	"	17	Lot 1 (NW NE)	"
"	"	"	Lot 2 (SW NE)	"
"	"	"	Lot 3 (NW SE)	"
"	"	"	Lot 4 (SW SE)	"
"	"	20	Lot 1 (NW NE)	"
"	"	"	Lot 2 (SW NE)	"



4. The amount of water which the applicant intends to apply to beneficial use is two  
cubic feet per second.....  
(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is Domestic Supplies, INCLUDING THE  
IRRIGATION OF A LAWN OR NON-COMMERCIAL GARDEN NOT TO EXCEED  
ONE-HALF ACRE IN AREA FOR EACH LOCATION.

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

At point of diversion a concrete tank or reservoir 6' x 6' x 5'. Length of  
pipe 6,350 Feet. Size at intake 6"; size at 2000 feet from intake 3";  
size at place of use 3/4"; Difference in elevation between intake and place  
of use 150' Gradual slope.

If for domestic use state number of families to be supplied 30 110

7. Construction work will begin on or before Completed STARTED 11/20/83

8. Construction work will be completed on or before OCTOBER 1983

9. The water will be completely applied to the proposed use on or before OCTOBER 1984

Application No. 47536


Permit No. ....



Remarks: \* Property involved abutts or is overlooking Wallowa Lake and  
is designated as a residential-recreational area under the Wallowa County Land  
Use Plan. Present number of hookups is 51. Additional hookups are anticipated  
as Wallowa County and the State of Oregon grant qualifying building permits.  
\* Lake Shore Tracts, Lake Shore Tracts II, & Lake Shore Tracts III, & Tax Lots  
2800 & 2801 Sec B T3S R45E WM

LAKESHORE WATER AND DEVELOPMENT COOP

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

  
Signature of Applicant

William O. Reid, Secretary

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for..... correction and completion.....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before ..... September 15 ..... , 19 82.....

WITNESS my hand this ..... 15th ..... day of ..... July ..... , 1982.....

James E. Sexson ..... Water Resources Director

By   
Stephen C. Brown

RECEIVED  
SEP 2 1982  
WATER RESOURCES DEPT.  
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the  
..... day of ....., 19....., at ..... o'clock  
.....M.

Application No.....

Permit No.....

Application No.....

Permit No.....

## Permit to appropriate the Public Waters of the State of Oregon

*This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD 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 ..... 0.87 ..... 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 .....*

*The use to which this water is to be applied is .....*

*If for irrigation, this appropriation shall be limited to ..... 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 priority date of this permit is ..... 1975 .....*

*Actual construction work shall begin on or before..... and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....*

*Complete application of the water to the proposed use shall be made on or before October 1, 19.....*

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



April 12, 1994

Representative Ray Baum  
PO Box 2902  
LaGrande, Or 97850

Reference File 47536

Dear Representative Baum:

As per our telephone conversation on April 6, 1994, the Lake Shore Development Coop submitted an application for extension of time request on October 22, 1993.

The extension request, however, was one year ahead of schedule. The permit has an approved extension until October 1, 1994.

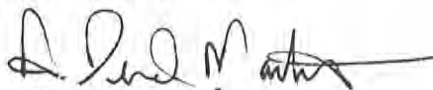
Staff will process the 1994 extension request in July, 1994. We will require the permittee to submit the necessary documentation as to what was accomplished during the previous five year extension. The Director will use that data to decide upon their request.

ORS 537.230, 539.010 and OAR 690-11-205 (3)(4) allow for up to five year extensions for good cause shown. The permittee already had two-five year extensions of time for permit development. Neither the law nor the rule limit the number of extensions a permittee may have.

I have enclosed copies of the law and rule for your information.

If you have any questions, please let me know.

Sincerely,



Reed Marbut  
Administrator  
Water Rights Division

Enclosures



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130

(c) The owner, operator or person in immediate charge of the structure shall immediately notify, to the best of the person's ability, those persons whose life or property may be threatened by the release of water. [Amended by 1959 c.624 §3; subsection (3) enacted as 1959 c.624 §5; 1985 c.673 §32]

537.200 [Amended by 1955 c.707 §37; repealed by 1971 c.734 §21]

537.210 [Repealed by 1981 c.61 §1 (537.211 enacted in lieu of 537.210)]

**537.211 Issuance of permit if application approved; contents of permit; effect; rejection of application.** (1) The approval of an application referred to in ORS 537.140 or 537.400 shall be set forth in a water right permit issued by the Water Resources Commission. The permit shall specify the details of the authorized use and shall set forth any terms, limitations and conditions as the commission considers appropriate including but not limited to any applicable condition required under ORS 537.289. A copy of the permit shall be filed as a public record in the Water Resources Department. The permit shall be mailed to the applicant, and upon receipt of the permit the permittee may proceed with the construction of the necessary works and may take all action required to apply the water to the designated beneficial use and to perfect the proposed appropriation.

(2) If an application referred to in ORS 537.140 or 537.400 is rejected, the commission shall enter a written order setting forth the reasons for the rejection. The applicant shall take no action towards construction of the works or use of the water. The commission shall mail a copy of the order to the applicant.

(3) If the use of water under the permit is for operation of a chemical process mine as defined in ORS 517.953:

(a) Review of the application and approval or denial of the application shall be coordinated with the consolidated application process under ORS 517.952 to 517.987. However, such review and approval or denial shall take into consideration all policy considerations for the appropriation of water as set forth in this chapter and ORS chapter 536.

(b) The permit may be issued for exploration under ORS 517.700 to 517.740, but the permit shall be conditioned on the applicant's compliance with the consolidated application process.

(c) The permit shall include a condition that additional conditions may be added to the use of water when a water right certificate is issued, or when the use of water is changed pursuant to ORS 540.520 and 540.530 to use for a chemical process mine operation. [1981 c.61 §2 (enacted in lieu of 537.210); 1985 c.392 §10; 1985 c.673 §33; 1991 c.735 §33]

**537.220 Assignment of permit.** Any permit or license to appropriate water may be assigned, subject to the conditions of the permit, but no such assignment shall be binding, except upon the parties to the assignment, unless filed for record in the Water Resources Department. [Amended by 1985 c.673 §34]

**537.230 Time for beginning and completing work; extension; survey; map.** (1) Except as provided in ORS 537.240 or under an application by a municipal corporation for municipal uses or purposes, actual construction work shall begin within one year from the date of approval of the application. The construction of any proposed irrigation or other work shall be prosecuted with reasonable diligence and be completed within a reasonable time, as fixed in the permit by the Water Resources Commission, not to exceed five years from the date of approval.

(2) Except as provided in ORS 537.240, the commission, for good cause shown, shall order and allow an extension of time, including an extension beyond the five-year limit established in subsection (1) of this section within which irrigation or other works shall be completed or the right perfected. In determining the extension, the commission shall give due weight to the considerations described under ORS 539.010 (5).

(3) Upon completion of beneficial use as required under subsection (1) of this section, the permittee shall hire a water right examiner certified under ORS 537.798 to survey the appropriation. Within one year after application of water to a beneficial use or the beneficial use date allowed in the permit, the permittee shall submit a map of the survey as required by the Water Resources Department, which shall accompany the request for a water right certificate submitted to the commission under ORS 537.250. [Amended by 1985 c.617 §1; 1985 c.673 §201; 1987 c.542 §4]

**WATER RIGHTS BEFORE 1909****539.005 Purpose of chapter; rules. (1)**

The Legislative Assembly declares that it is the purpose of this chapter to set forth the procedures for carrying out a general stream adjudication in Oregon.

(2) In accordance with the applicable provisions of ORS 183.310 to 183.550, the Water Resources Director shall adopt rules necessary to carry out the provisions of this chapter. [1989 c.691 §§2,3]

**539.010 Protection of water rights vested or initiated prior to February 24, 1909.** (1) Actual application of water to beneficial use prior to February 24, 1909, by or under authority of any riparian proprietor or the predecessors in interest of the riparian proprietor, shall be deemed to create in the riparian proprietor a vested right to the extent of the actual application to beneficial use; provided, such use has not been abandoned for a continuous period of two years.

(2) Where any riparian proprietor, or any person under authority of any riparian proprietor or the predecessor in interest of the riparian proprietor, was, on February 24, 1909, engaged in good faith in the construction of works for the application of water to a beneficial use, the right to take and use such water shall be deemed vested in the riparian proprietor; provided, that the works were completed and the water devoted to a beneficial use within a reasonable time after February 24, 1909. The Water Resources Director, in the manner provided in subsection (5) of this section, may determine the time within which the water shall be devoted to a beneficial use. The right to water shall be limited to the quantity actually applied to a beneficial use within the time so fixed by the director.

(3) Nothing contained in the Water Rights Act (as defined in ORS 537.010) shall affect relative priorities to the use of water among parties to any decree of the courts rendered in causes determined or pending prior to February 24, 1909.

(4) The right of any person to take and use water shall not be impaired or affected by any provisions of the Water Rights Act (as defined in ORS 537.010) where appropriations were initiated prior to February 24, 1909, and such appropriators, their heirs, successors or assigns did, in good faith and in compliance with the laws then existing, commence the construction of works for the application of the water so appropriated to a beneficial use, and thereafter prosecuted such work diligently and continuously to completion. However, all such rights shall be adjudicated in the manner provided in this chapter.

(5) The director shall, for good cause shown upon the application of any appropriator or user of water under an appropriation of water made prior to February 24, 1909, or in the cases mentioned in subsections (2) and (4) of this section, where actual construction work was commenced prior to that time or within the time provided in law then existing, prescribe the time within which the full amount of the water appropriated shall be applied to a beneficial use. In determining said time the director shall grant a reasonable time after the construction of the works or canal or ditch used for the diversion of the water, and in doing so, the director shall take into consideration the cost of the appropriation and application of the water to a beneficial purpose, the good faith of the appropriator, the market for water or power to be supplied, the present demands therefor, and the income or use that may be required to provide fair and reasonable returns upon the investment. For good cause shown the director may extend the time.

(6) Where appropriations of water attempted before February 24, 1909, were undertaken in good faith, and the work of construction or improvement thereunder was in good faith commenced and diligently prosecuted, such appropriations shall not be set aside or voided in proceedings under this chapter because of any irregularity or insufficiency of the notice by law, or in the manner of posting, recording or publication thereof.

(7) In any proceeding to adjudicate water rights under this chapter, the department may adjudicate federal reserved rights for the water necessary to fulfill the primary purpose of the reservation.



(8) All rights granted or declared by the Water Rights Act (as defined in ORS 537.010) shall be adjudicated and determined in the manner and by the tribunals provided therein. The Water Rights Act shall not be held to bestow upon any person any riparian rights where no such rights existed prior to February 24, 1909. [Amended by 1989 c.691 §6]

**539.015 Certification of statements of claimants; oaths.** Each claimant or owner who files a statement and proof of claim form or a registration statement shall be required to certify to the statements of the claimant or owner under oath. The Water Resources Director or the authorized assistant of the director may administer such oaths, which shall be done without charge, as also shall be the furnishing of blank forms for the statement. [1989 c.691 §4]

**539.020** [Repealed by 1987 c.541 §1 (539.021 enacted in lieu of 539.020)]

**539.021 Determination by Water Resources Director of rights of claimants; transfer of action to director.** (1) The Water Resources Director upon the motion of the director or, in the discretion of the director, upon receipt of a petition from one or more appropriators of surface water from any natural watercourse in this state shall make a determination of the relative rights of the various claimants to the waters of that water course.

(2) If an action is brought in the circuit court for determination of rights to the use of water, the case may, in the discretion of the court, be transferred to the director for determination as provided in this chapter. [1987 c.541 §2 (enacted in lieu of 539.020)]

**539.030 Notice of investigation of stream.** The Water Resources Director shall prepare a notice, setting forth the date when the director or the assistant of the director will begin such investigation as may be necessary for a proper determination of the relative rights of the various claimants to the use of the waters of the stream. The notice shall be published in two issues of one or more newspapers having general circulation in the counties in which the stream is situated, the last publication of the notice to be at least 10 days prior to the date set in the notice for the beginning of the investigation by the director or the assistant of the director. [Amended by 1955 c.669 §1; 1979 c.53 §1; 1987 c.541 §8]

**539.040 Notice of hearing by director.**

(1) As soon as practicable after the examination and measurements are completed, as described in ORS 539.120, the Water Resources Director shall prepare a notice setting forth a place and time certain when the director or the authorized assistant of the director shall begin taking testimony as to the rights of the various claimants to the use of the waters of the stream or its tributaries. The notice shall be published in two issues of one or more newspapers having general circulation in the counties in which the stream is situated, the last publication of the notice to be at least 30 days prior to the beginning of taking testimony by the director or the authorized assistant of the director.

(2) The director shall also send by registered mail or by certified mail with return receipt to each claimant or owner who filed with the director a registration statement as provided in ORS 539.240, a notice similar to that provided in subsection (1) of this section setting forth the date when the director or the authorized assistant of the director will take testimony as to the rights to the use of the water of the stream. The notice must be mailed at least 30 days prior to the date set therein for taking testimony.

(3)(a) For purposes of the Klamath Basin adjudication, the department will provide notice, substantially like that specified in subsection (2) of this section, to claimants or owners who desire to claim a water right under this chapter, or to contest the claims of others, and have so notified the director. The notice shall be accompanied by a blank form on which the claimant or owner shall present in writing all of the particulars necessary for determination of the right of the claimant or owner to contest the claims of others or to the use of the waters of a stream to which the claimant or owner lays claim. That form shall require substantially the same information required in a registration statement, as provided in ORS 539.240 (2), except that the map need not be prepared by a certified water rights examiner, as required by ORS 539.240 (2)(d).

(b) In the already adjudicated areas of the Klamath Basin, the notice provided to holders of permitted or certificated surface water rights acquired under ORS chapter 537 will specify that they may contest the statement and proof of claims of others made under this chapter, but only in the unadjudicated areas of the Klamath Basin. [Amended by 1955 c.669 §2; 1987 c.541 §9; 1989 c.691 §7; 1991 c.249 §45]

**539.050** [Amended by 1955 c.669 §3; repealed by 1987 c.541 §10]

**539.060** [Repealed by 1987 c.541 §10]

**OREGON ADMINISTRATIVE RULES**  
**CHAPTER 690, DIVISION 11 — WATER RESOURCES DEPARTMENT**

(7) Temperature control: Where a permit has been issued for use of water for temperature control (either heat or cold), a report detailing the amount of water used, the times of application and conditions requiring the use of water for temperature control shall be required annually. These shall be required as an element of proof of appropriation to the satisfaction of the Department prior to issuance of a confirming water right certificate.

(8) Assignment or change of ownership of permit, groundwater registration or application:

(a) When a change of interest or ownership occurs in lands covered by a permit, groundwater registration or pending application the record holder may request, in writing the Director to record the assignment to the new owner;

(b) Should the record holder of the permit, groundwater registration or application be unavailable, the current owner of the property involved may furnish proof of such ownership to the Commission to obtain ownership of the permit, registration or application. The Department shall also record a change in ownership to an heir or devisee under a will upon receiving proof of death of the record holder, or to a trustee upon receiving proof of a transfer to trust by the record holder. Proof of ownership of the involved lands shall include, but not be limited to one or more of the following documents:

(A) A copy of the deed to the land;

(B) A copy of a land sales contract;

(C) A court order or decree; or

(D) Documentation of survivorship of property held jointly.

(9) All reviews and any determinations made in accordance with this section shall be made part of the application file and shall contain sufficient detail to allow the Director to determine how to proceed with the processing of the application, in accordance with OAR 690-11-155 to 690-11-197. As provided in ORS 537.620(3) and also in accordance with OAR 690-11-160, the Department shall review the following categories of applications for permits to appropriate groundwater to determine whether the proposed appropriation would have the potential to cause interference with a surface water source, in accordance with OAR 690-09-040:

(a) All applications that are for any proposed point of appropriation within a horizontal distance of one mile of a surface water source;

(b) All applications that are within a basin, or portion of a basin, which has any applicable closure on surface water appropriation; and

(c) All applications that are for greater than five cubic feet per second.

Stat. Auth.: ORS 536.025, 536.027, 536.220, 536.300, 536.310, 537.338, 537.356 - 537.358, Ch. 540 & 543

Hist.: WRD 6-1987, f. & ef. 6-11-87; WRD 5-1988, f. & cert. ef. 6-28-88; WRD 18-1988, f. & cert. ef. 11-4-88; WRD 16-1990, f. & cert. ef. 8-23-90; WRD 9-1992, f. & cert. ef. 7-1-92; Renumbered from 690-11-090

#### **Extension of Time Limits**

**690-11-205** (1) The time limit to begin construction of water use facilities shall not be extended except for municipal use of surface water by a municipality, permits involving Federal Energy Regulatory Commission projects or permits issued to irrigation districts for reclamation purposes.

(2) The time limits to complete construction or to apply the water to a beneficial use may be extended upon showing of good cause for the untimely completion. This determination shall consider the requirements of ORS 537.230 and 539.010(5).

(3) Time extensions granted shall be for one year only except for permits for municipal, quasi-municipal or group domestic uses or permits issued to districts. Municipal, quasi-municipal, group domestic and district permits may be granted time extensions of not to exceed five years.

(4) If the Director determines that some progress has been made to complete the construction or use, but if diligence is questionable, the Director may:

(a) Deny the request for more time;

(b) Grant the request for more time and notify the applicant that future requests for more time will not be granted; or

(c) Grant the request for more time by an order amending the permit to include any condition or provisions needed for determining future diligence. Such new provisions or conditions shall not apply to any portion of the right developed under the time limits previously granted.

Stat. Auth.: ORS 536.025, 536.027, 536.220, 536.300, 536.310, 537.338, 537.356 - 537.358, Ch. 540 & 543

Hist.: WRD 16-1990, f. & cert. ef. 8-23-90; WRD 9-1992, f. & cert. ef. 7-1-92; Renumbered from 690-11-095

#### **Cancellation of Permit**

**690-11-210** When it appears from an onsite examination by the Water Resources Department that no appropriation has been made under the terms of the permit, or that use once made has undergone a period of five successive years of nonuse, a certified letter of intent to cancel the permit shall be sent to the permittee, allowing 60 days from the date of the letter for response. Failure to respond during the 60-day period shall result in cancellation of the permit.

Stat. Auth.: ORS 536.025, 536.027, 536.220, 536.300, 536.310, 537.338, 537.356 - 537.358, Ch. 540 & 543

Hist.: WRD 6-1987, f. & ef. 6-11-87; WRD 16-1990, f. & cert. ef. 8-23-90; WRD 9-1992, f. & cert. ef. 7-1-92; Renumbered from 690-11-100

#### **Claims of Beneficial Use for Applications Filed After June 30, 1987**

**690-11-215** All final proof surveys and claims of beneficial use for applications filed after July 9, 1987 shall be performed by Certified Water Right Examiners. Applicants prior to July 10, 1987 may either wait for the Department to perform the final proof survey on its own schedule or may hire a certified Water Right Examiner.

Stat. Auth.: ORS 536.025, 536.027, 536.220, 536.300, 536.310, 537.338, 537.356 - 537.358 & Ch. 542

Hist.: WRD 3-1988, f. 2-26-88, cert. ef. 2-28-88; WRD 9-1992, f. & cert. ef. 7-1-92; Renumbered from 690-11-103

#### **Applications Filed After November 29, 1987**

**690-11-220** All applications filed after November 29, 1987 shall have application maps prepared by a Certified Water Right Examiner.

May 12, 1994

RECEIVED

MAY 16 1994

WATER RESOURCES DEPT.  
SALEM, OREGON

To whom it may concern;

This is in regards to loss of water rights certificates, File #47536

I am a property owner on the west side of Wallowa Lake. In the near future our membership of Lakeshore Water & Development Cooperative will be installing a new filtration system to be in compliance with State law.

At this time my concern has to do with the possibility of losing our water rights and having to build on said property before we are ready financially and otherwise. We have friends there who own two lots and were purchased as an investment for future use by and for their children. Some of these people are trying to decide whether to sell these properties or build on them now when most are not ready yet.

This is really going to put a hardship on a lot of people and to say nothing of overtaxing the Wallowa County Planning Office and our sewer system.

We are not, nor would anyone, be happy at being forced to build or sell before they are ready.

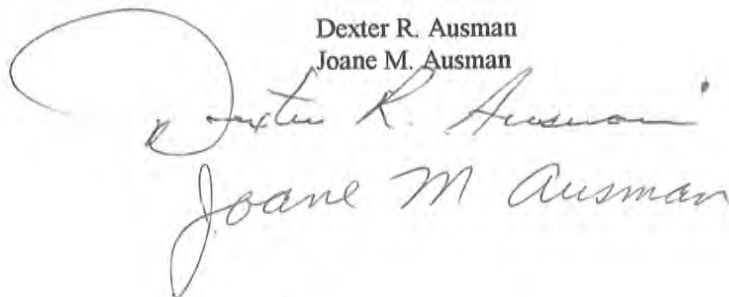
Some owners won't retire for 5-15 years and need to know they have time to plan on "To Build or Sellout".!!! Not a very pretty alternative.

I am going to send copies of this letter to Representative Ray Baum and Senator Gordon Smith.

We as tax payers need to know whether we are going to get an extension or not and we need this before a deadline.

Thank you for your time and please consider this extension.

Dexter R. Ausman  
Joane M. Ausman

Handwritten signatures of Dexter R. Ausman and Joane M. Ausman. The signature of Dexter R. Ausman is written in cursive and is positioned above the signature of Joane M. Ausman, which is also in cursive.



April 22, 1994

cc: Steve B.

Oregon

DEPARTMENT OF  
HUMAN  
RESOURCES

HEALTH DIVISION  
Drinking Water Section  
Eastern Region

Mrs. Carolyn Gilbert, Secretary  
Lakeshore Water & Development Cooperative  
P.O. Box 652  
Joseph, OR 97846

**Subject: Lakeshore Water & Development Cooperative,  
Extension to Remedial Order Deadline for Filtration**

The Health Division hereby grants a one year extension to Lakeshore Water & Development Cooperative (LWDC) for meeting the requirements of the Surface Water Treatment Rule, as requested by your letter of January 3, 1994. The 'Notice of Violation and Remedial Order' issued by the Division on December 20, 1993, specified that treatment modifications or an alternate source must be installed by October 1, 1994, and that date is hereby extended to **October 1, 1995**.

This extension is based on the following factors:

- 1) LWDC has made significant progress toward compliance with the filtration requirement. Ralph Swinehart, consulting engineer, has been working on a plan for filtration, and a preliminary drawing was submitted to the Division on January 3, 1994. LWDC added an assessment to the water bills beginning in May, 1992, to provide funding for water system improvements, but funding is inadequate to complete improvements by October 1, 1994.
- 2) The Water Resources Department (WRD) is in the process of reviewing the water rights permit for LWDC and a determination is expected by October, 1994. Until this determination is made, LWDC does not know what quantity of water or number of users they will be allowed to serve. This is a significant factor in determining system demands, design capacity, and ultimately the total cost of improvements.
- 3) LWDC has been assessing the feasibility of connecting to the Wallowa Lake County Service District (WLCSD) water supply. This does not appear to be feasible at this time, because of cost and land use issues. But this may become a valid option if WRD limits water rights, and/or LWDC experiences a significant demand for water beyond their capacity. Also, the option of developing the spring located above the surface intake does not appear to be feasible because of its location within a designated wilderness area.
- 4) LWDC submitted a letter pertaining to the **interim operations plan** on June 4, 1993. The letter notes continuous, reliable, chlorination is practiced, and reasonable CT values are achieved.

Barbara Roberts  
Governor



700 SE Emigrant, #320  
Pendleton, OR 97801

24-26 (Rev. 2/92)

5) The **risk to public health** is minimized because raw water quality is good; both coliform and turbidity are well within the parameters required for unfiltered systems. In fact, records indicate that source water samples have often indicated no coliforms present, and turbidity is consistently 0.2 NTU or less. The surface water intake is also located only about 1400 feet below the spring outflow that feeds the creek, the watershed and spring are within a designated wilderness area, and the watershed drainage is steep terrain, which serves to further limit access by both humans and wild animals.

The following **requirements** must be met during the period of this extension:

- 1) **Plans** prepared by a professional engineer, registered in Oregon, submitted to the Division by **October 1, 1994**. Plans shall describe the treatment proposal in detail, including how disinfection "CT" requirements will be met.
- 2) **Public notice** to be provided at least once every three months in accordance with OAR 333-61-042 1 (b), by mail delivery or by hand delivery, until the system is in compliance with the treatment standard. The public notice must include the mandatory health effects language for violation of a treatment technique requirement, as specified by OAR 333-61-097 5 (c).

If more time is needed, additional one year extensions can be granted by the Division. A request for further extension should be submitted by July 1, 1994. An extension request should describe progress made toward the construction of the filtration system, or development of alternate sources; and the status of funding for the proposed project.

Please call me if you have any questions.

Sincerely,



Gary F. Burnett, P.E.  
Regional Engineer

c. Ralph Swinehart, P.E., Wallowa Mountain Engineering  
Mary Alvey, Health Division, Portland  
✓ Reed Marbut, Water Resources Department, Water Rights Division



April 20, 1994

Diane Shetler, Director  
Wallowa County Planning Department  
101 S. River St., Rm B-1  
Enterprise, Or 97828

Reference File 47536

Dear Ms. Shetler:

As per your letter of April 13, 1994, the Lake Shore Development Coop submitted an application for extension of time request on October 22, 1993.

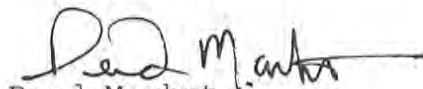
The extension request, however, was one year ahead of schedule. The permit has an approved extension until October 1, 1994.

As per our response to Representatives Baum's office, staff will process the 1994 extension request in July, 1994. We will require the permittee to submit the necessary documentation as to what was accomplished during the previous five year extension. The Director will use that data to decide upon the extension request.

ORS 537.230, 539.010 and OAR 690-11-205 (3) (4) allow for up to five year extensions for good cause shown. The permittee already had two-five year extensions of time for permit development. Neither the law nor the rule limit the number of extensions a permittee may have.

If you have any questions, please let me know.

Sincerely,



Reed Marbut  
Administrator  
Water Rights Division

cc: Representative Ray Baum



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130



47536

# Wallowa County Planning Department

101 S. River St., Rm. B - 1  
Enterprise, Oregon 97828  
Phone (503) 426-4543 ext. #24

APR 18 1994

April 13, 1994

Steve Brown, Manager  
Applications/Permit Section  
Oregon Water Resources Dept.  
3850 Portland Road, N.E.  
Salem, Oregon 97310

SUBJECT: Lakeshore Water & Development Cooperative  
Open State Water Permit

Dear Mr. Brown:

I have been involved with the Lakeshore Water & Development Cooperative in their on-going issue regarding their request for an extension of the open water permit.

Please allow me to express, from the perspective of the Planning Department, the impact that the state's threat to not allow the requested extension and close the permit is having on the County.

Lakeshore Drive is the newest road in the County road system. This road is not improved to County standards, however has been satisfactory for the needs of the current residents. This is forcing the County to expend more funds than anticipated on the upgrade of the road. The Department is being "bombarded" by applications for dwellings on the unimproved lots being affected. Lots that were to be developed for retirement homes in 5 to 10 years are now quickly being built upon.

The Wallowa Lake County Service District provides sewer service to this area. Because of the capacity of the City of Joseph's sewage treatment facility which is utilized by the District, the maximum number of hookups that can be obtained by the District is limited. The treatment facility is to be upgraded in 1996, which would be sufficient time based upon the projected "buildout" of this area prior to this concern. Potentially, the refusal to extend this water certificate could put the District in a position of dealing with a DEQ imposed moratorium on further development within the entire District. Previously this would not have been a concern. And further, this would be highly unfair to owners of undeveloped lots that do not receive water from the cooperative.

Also, the Wallowa County Planning Department is not staffed sufficiently to deal with this magnitude of applications and Wallowa County does not have the resources to increase the number of employees in the Department.

Steve Brown  
April 13, 1994  
Page 2

RECEIVED  
APR 18 1994  
WATER RESOURCES DIVISION  
SALEM, OREGON

As you can see, the County has some incredible concerns and issues raised by the possibility of the water certificate not being extended. Further, it seems that no justifiable detriment could result from granting the requested extension.

If you have questions or would like to discuss this issue further, please contact me.

Sincerely,



Diane Shetler, Director

cc: Caroline Gilbert  
Dave Shriner  
Ray Baum  
Gordon Smith  
Wallowa County Court

April 12, 1994

Representative Ray Baum  
PO Box 2902  
LaGrande, Or 97850

Reference File 47536

Dear Representative Baum:

As per our telephone conversation on April 6, 1994, the Lake Shore Development Coop submitted an application for extension of time request on October 22, 1993.

The extension request, however, was one year ahead of schedule. The permit has an approved extension until October 1, 1994.

Staff will process the 1994 extension request in July, 1994. We will require the permittee to submit the necessary documentation as to what was accomplished during the previous five year extension. The Director will use that data to decide upon their request.

ORS 537.230, 539.010 and OAR 690-11-205 (3)(4) allow for up to five year extensions for good cause shown. The permittee already had two-five year extensions of time for permit development. Neither the law nor the rule limit the number of extensions a permittee may have.

I have enclosed copies of the law and rule for your information.

If you have any questions, please let me know.

Sincerely,



Reed Marbut  
Administrator  
Water Rights Division

Enclosures



Commerce Building  
158 12th Street NE  
Salem, OR 97310-0210  
(503) 378-3739  
FAX (503) 378-8130



(c) The owner, operator or person in immediate charge of the structure shall immediately notify, to the best of the person's ability, those persons whose life or property may be threatened by the release of water. [Amended by 1959 c.624 §3; subsection (3) enacted as 1959 c.624 §5; 1985 c.673 §32]

537.200 [Amended by 1955 c.707 §37; repealed by 1971 c.734 §21]

537.210 [Repealed by 1981 c.61 §1 (537.211 enacted in lieu of 537.210)]

**537.211 Issuance of permit if application approved; contents of permit; effect; rejection of application.** (1) The approval of an application referred to in ORS 537.140 or 537.400 shall be set forth in a water right permit issued by the Water Resources Commission. The permit shall specify the details of the authorized use and shall set forth any terms, limitations and conditions as the commission considers appropriate including but not limited to any applicable condition required under ORS 537.289. A copy of the permit shall be filed as a public record in the Water Resources Department. The permit shall be mailed to the applicant, and upon receipt of the permit the permittee may proceed with the construction of the necessary works and may take all action required to apply the water to the designated beneficial use and to perfect the proposed appropriation.

(2) If an application referred to in ORS 537.140 or 537.400 is rejected, the commission shall enter a written order setting forth the reasons for the rejection. The applicant shall take no action towards construction of the works or use of the water. The commission shall mail a copy of the order to the applicant.

(3) If the use of water under the permit is for operation of a chemical process mine as defined in ORS 517.953:

(a) Review of the application and approval or denial of the application shall be coordinated with the consolidated application process under ORS 517.952 to 517.987. However, such review and approval or denial shall take into consideration all policy considerations for the appropriation of water as set forth in this chapter and ORS chapter 536.

(b) The permit may be issued for exploration under ORS 517.700 to 517.740, but the permit shall be conditioned on the applicant's compliance with the consolidated application process.

(c) The permit shall include a condition that additional conditions may be added to the use of water when a water right certificate is issued, or when the use of water is changed pursuant to ORS 540.520 and 540.530 to use for a chemical process mine operation. [1981 c.61 §2 (enacted in lieu of 537.210); 1985 c.392 §10; 1985 c.673 §33; 1991 c.735 §33]

**537.220 Assignment of permit.** Any permit or license to appropriate water may be assigned, subject to the conditions of the permit, but no such assignment shall be binding, except upon the parties to the assignment, unless filed for record in the Water Resources Department. [Amended by 1985 c.673 §34]

**537.230 Time for beginning and completing work; extension; survey; map.** (1) Except as provided in ORS 537.240 or under an application by a municipal corporation for municipal uses or purposes, actual construction work shall begin within one year from the date of approval of the application. The construction of any proposed irrigation or other work shall be prosecuted with reasonable diligence and be completed within a reasonable time, as fixed in the permit by the Water Resources Commission, not to exceed five years from the date of approval.

(2) Except as provided in ORS 537.240, the commission, for good cause shown, shall order and allow an extension of time, including an extension beyond the five-year limit established in subsection (1) of this section within which irrigation or other works shall be completed or the right perfected. In determining the extension, the commission shall give due weight to the considerations described under ORS 539.010 (5).

(3) Upon completion of beneficial use as required under subsection (1) of this section, the permittee shall hire a water right examiner certified under ORS 537.798 to survey the appropriation. Within one year after application of water to a beneficial use or the beneficial use date allowed in the permit, the permittee shall submit a map of the survey as required by the Water Resources Department, which shall accompany the request for a water right certificate submitted to the commission under ORS 537.250. [Amended by 1985 c.617 §1; 1985 c.673 §201; 1987 c.542 §4]

**WATER RIGHTS BEFORE 1909**

**539.005 Purpose of chapter; rules.** (1) The Legislative Assembly declares that it is the purpose of this chapter to set forth the procedures for carrying out a general stream adjudication in Oregon.

(2) In accordance with the applicable provisions of ORS 183.310 to 183.550, the Water Resources Director shall adopt rules necessary to carry out the provisions of this chapter. [1989 c.691 §§2,3]

**539.010 Protection of water rights vested or initiated prior to February 24, 1909.** (1) Actual application of water to beneficial use prior to February 24, 1909, by or under authority of any riparian proprietor or the predecessors in interest of the riparian proprietor, shall be deemed to create in the riparian proprietor a vested right to the extent of the actual application to beneficial use; provided, such use has not been abandoned for a continuous period of two years.

(2) Where any riparian proprietor, or any person under authority of any riparian proprietor or the predecessor in interest of the riparian proprietor, was, on February 24, 1909, engaged in good faith in the construction of works for the application of water to a beneficial use, the right to take and use such water shall be deemed vested in the riparian proprietor; provided, that the works were completed and the water devoted to a beneficial use within a reasonable time after February 24, 1909. The Water Resources Director, in the manner provided in subsection (5) of this section, may determine the time within which the water shall be devoted to a beneficial use. The right to water shall be limited to the quantity actually applied to a beneficial use within the time so fixed by the director.

(3) Nothing contained in the Water Rights Act (as defined in ORS 537.010) shall affect relative priorities to the use of water among parties to any decree of the courts rendered in causes determined or pending prior to February 24, 1909.

(4) The right of any person to take and use water shall not be impaired or affected by any provisions of the Water Rights Act (as defined in ORS 537.010) where appropriations were initiated prior to February 24, 1909, and such appropriators, their heirs, successors or assigns did, in good faith and in compliance with the laws then existing, commence the construction of works for the application of the water so appropriated to a beneficial use, and thereafter prosecuted such work diligently and continuously to completion. However, all such rights shall be adjudicated in the manner provided in this chapter.

(5) The director shall, for good cause shown upon the application of any appropriator or user of water under an appropriation of water made prior to February 24, 1909, or in the cases mentioned in subsections (2) and (4) of this section, where actual construction work was commenced prior to that time or within the time provided in law then existing, prescribe the time within which the full amount of the water appropriated shall be applied to a beneficial use. In determining said time the director shall grant a reasonable time after the construction of the works or canal or ditch used for the diversion of the water, and in doing so, the director shall take into consideration the cost of the appropriation and application of the water to a beneficial purpose, the good faith of the appropriator, the market for water or power to be supplied, the present demands therefor, and the income or use that may be required to provide fair and reasonable returns upon the investment. For good cause shown the director may extend the time.

(6) Where appropriations of water attempted before February 24, 1909, were undertaken in good faith, and the work of construction or improvement thereunder was in good faith commenced and diligently prosecuted, such appropriations shall not be set aside or voided in proceedings under this chapter because of any irregularity or insufficiency of the notice by law, or in the manner of posting, recording or publication thereof.

(7) In any proceeding to adjudicate water rights under this chapter, the department may adjudicate federal reserved rights for the water necessary to fulfill the primary purpose of the reservation.

(8) All rights granted or declared by the Water Rights Act (as defined in ORS 537.010) shall be adjudicated and determined in the manner and by the tribunals provided therein. The Water Rights Act shall not be held to bestow upon any person any riparian rights where no such rights existed prior to February 24, 1909. [Amended by 1989 c.691 §6]

**539.015 Certification of statements of claimants; oaths.** Each claimant or owner who files a statement and proof of claim form or a registration statement shall be required to certify to the statements of the claimant or owner under oath. The Water Resources Director or the authorized assistant of the director may administer such oaths, which shall be done without charge, as also shall be the furnishing of blank forms for the statement. [1989 c.691 §4]

**539.020** [Repealed by 1987 c.541 §1 (539.021 enacted in lieu of 539.020)]

**539.021 Determination by Water Resources Director of rights of claimants; transfer of action to director.** (1) The Water Resources Director upon the motion of the director or, in the discretion of the director, upon receipt of a petition from one or more appropriators of surface water from any natural watercourse in this state shall make a determination of the relative rights of the various claimants to the waters of that water course.

(2) If an action is brought in the circuit court for determination of rights to the use of water, the case may, in the discretion of the court, be transferred to the director for determination as provided in this chapter. [1987 c.541 §2 (enacted in lieu of 539.020)]

**539.030 Notice of investigation of stream.** The Water Resources Director shall prepare a notice, setting forth the date when the director or the assistant of the director will begin such investigation as may be necessary for a proper determination of the relative rights of the various claimants to the use of the waters of the stream. The notice shall be published in two issues of one or more newspapers having general circulation in the counties in which the stream is situated, the last publication of the notice to be at least 10 days prior to the date set in the notice for the beginning of the investigation by the director or the assistant of the director. [Amended by 1955 c.669 §1; 1979 c.53 §1; 1987 c.541 §8]

**539.040 Notice of hearing by director.**

(1) As soon as practicable after the examination and measurements are completed, as described in ORS 539.120, the Water Resources Director shall prepare a notice setting forth a place and time certain when the director or the authorized assistant of the director shall begin taking testimony as to the rights of the various claimants to the use of the waters of the stream or its tributaries. The notice shall be published in two issues of one or more newspapers having general circulation in the counties in which the stream is situated, the last publication of the notice to be at least 30 days prior to the beginning of taking testimony by the director or the authorized assistant of the director.

(2) The director shall also send by registered mail or by certified mail with return receipt to each claimant or owner who filed with the director a registration statement as provided in ORS 539.240, a notice similar to that provided in subsection (1) of this section setting forth the date when the director or the authorized assistant of the director will take testimony as to the rights to the use of the water of the stream. The notice must be mailed at least 30 days prior to the date set therein for taking testimony.

(3)(a) For purposes of the Klamath Basin adjudication, the department will provide notice, substantially like that specified in subsection (2) of this section, to claimants or owners who desire to claim a water right under this chapter, or to contest the claims of others, and have so notified the director. The notice shall be accompanied by a blank form on which the claimant or owner shall present in writing all of the particulars necessary for determination of the right of the claimant or owner to contest the claims of others or to the use of the waters of a stream to which the claimant or owner lays claim. That form shall require substantially the same information required in a registration statement, as provided in ORS 539.240 (2), except that the map need not be prepared by a certified water rights examiner, as required by ORS 539.240 (2)(d).

(b) In the already adjudicated areas of the Klamath Basin, the notice provided to holders of permitted or certificated surface water rights acquired under ORS chapter 537 will specify that they may contest the statement and proof of claims of others made under this chapter, but only in the unadjudicated areas of the Klamath Basin. [Amended by 1955 c.669 §2; 1987 c.541 §9; 1989 c.691 §7; 1991 c.249 §15]

**539.050** [Amended by 1955 c.669 §3; repealed by 1987 c.541 §10]

**539.060** [Repealed by 1987 c.541 §10]



**OREGON ADMINISTRATIVE RULES**  
**CHAPTER 690, DIVISION 11 — WATER RESOURCES DEPARTMENT**

(7) Temperature control: Where a permit has been issued for use of water for temperature control (either heat or cold), a report detailing the amount of water used, the times of application and conditions requiring the use of water for temperature control shall be required annually. These shall be required as an element of proof of appropriation to the satisfaction of the Department prior to issuance of a confirming water right certificate.

(8) Assignment or change of ownership of permit, groundwater registration or application:

(a) When a change of interest or ownership occurs in lands covered by a permit, groundwater registration or pending application the record holder may request, in writing the Director to record the assignment to the new owner;

(b) Should the record holder of the permit, groundwater registration or application be unavailable, the current owner of the property involved may furnish proof of such ownership to the Commission to obtain ownership of the permit, registration or application. The Department shall also record a change in ownership to an heir or devisee under a will upon receiving proof of death of the record holder, or to a trustee upon receiving proof of a transfer to trust by the record holder. Proof of ownership of the involved lands shall include, but not be limited to one or more of the following documents:

- (A) A copy of the deed to the land;
- (B) A copy of a land sales contract;
- (C) A court order or decree; or
- (D) Documentation of survivorship of property held jointly.

(9) All reviews and any determinations made in accordance with this section shall be made part of the application file and shall contain sufficient detail to allow the Director to determine how to proceed with the processing of the application, in accordance with OAR 690-11-155 to 690-11-197. As provided in ORS 537.620(3) and also in accordance with OAR 690-11-160, the Department shall review the following categories of applications for permits to appropriate groundwater to determine whether the proposed appropriation would have the potential to cause interference with a surface water source, in accordance with OAR 690-09-040:

(a) All applications that are for any proposed point of appropriation within a horizontal distance of one mile of a surface water source;

(b) All applications that are within a basin, or portion of a basin, which has any applicable closure on surface water appropriation; and

(c) All applications that are for greater than five cubic feet per second.

Stat. Auth.: ORS 536.025, 536.027, 536.220, 536.300, 536.310, 537.338, 537.356 - 537.358, Ch. 540 & 543

Hist.: WRD 6-1987, f. & ef. 6-11-87; WRD 5-1988, f. & cert. ef. 6-28-88; WRD 18-1988, f. & cert. ef. 11-4-88; WRD 16-1990, f. & cert. ef. 8-23-90; WRD 9-1992, f. & cert. ef. 7-1-92; Renumbered from 690-11-090

#### **Extension of Time Limits**

**690-11-205** (1) The time limit to begin construction of water use facilities shall not be extended except for municipal use of surface water by a municipality, permits involving Federal Energy Regulatory Commission projects or permits issued to irrigation districts for reclamation purposes.

(2) The time limits to complete construction or to apply the water to a beneficial use may be extended upon showing of good cause for the untimely completion. This determination shall consider the requirements of ORS 537.230 and 539.010(5).

(3) Time extensions granted shall be for one year only except for permits for municipal, quasi-municipal or group domestic uses or permits issued to districts. Municipal, quasi-municipal, group domestic and district permits may be granted time extensions of not to exceed five years.

(4) If the Director determines that some progress has been made to complete the construction or use, but if diligence is questionable, the Director may:

(a) Deny the request for more time;

(b) Grant the request for more time and notify the applicant that future requests for more time will not be granted; or

(c) Grant the request for more time by an order amending the permit to include any condition or provisions needed for determining future diligence. Such new provisions or conditions shall not apply to any portion of the right developed under the time limits previously granted.

Stat. Auth.: ORS 536.025, 536.027, 536.220, 536.300, 536.310, 537.338, 537.356 - 537.358, Ch. 540 & 543

Hist.: WRD 16-1990, f. & cert. ef. 8-23-90; WRD 9-1992, f. & cert. ef. 7-1-92; Renumbered from 690-11-095

#### **Cancellation of Permit**

**690-11-210** When it appears from an onsite examination by the Water Resources Department that no appropriation has been made under the terms of the permit, or that use once made has undergone a period of five successive years of nonuse, a certified letter of intent to cancel the permit shall be sent to the permittee, allowing 60 days from the date of the letter for response. Failure to respond during the 60-day period shall result in cancellation of the permit.

Stat. Auth.: ORS 536.025, 536.027, 536.220, 536.300, 536.310, 537.338, 537.356 - 537.358, Ch. 540 & 543

Hist.: WRD 6-1987, f. & ef. 6-11-87; WRD 16-1990, f. & cert. ef. 8-23-90; WRD 9-1992, f. & cert. ef. 7-1-92; Renumbered from 690-11-100

#### **Claims of Beneficial Use for Applications Filed After June 30, 1987**

**690-11-215** All final proof surveys and claims of beneficial use for applications filed after July 9, 1987 shall be performed by Certified Water Right Examiners. Applicants prior to July 10, 1987 may either wait for the Department to perform the final proof survey on its own schedule or may hire a certified Water Right Examiner.

Stat. Auth.: ORS 536.025, 536.027, 536.220, 536.300, 536.310, 537.338, 537.356 - 537.358 & Ch. 542

Hist.: WRD 3-1988, f. 2-26-88, cert. ef. 2-28-88; WRD 9-1992, f. & cert. ef. 7-1-92; Renumbered from 690-11-103

#### **Applications Filed After November 29, 1987**

**690-11-220** All applications filed after November 29, 1987 shall have application maps prepared by a Certified Water Right Examiner.

October 20, 1993

WAYNE POWELL  
PO BOX 596  
SISTERS, OR 97759

REFERENCE FILE: 47536

Thank you for your letter.

Yes, we intervened. The Water Resources Department must manage the waters of the State of Oregon.

Permit 46961 was issued to Lake Shore Water Development Coop in 1982. The permit granted the right to the use of water from an unnamed stream for group domestic purposes for 110 families. The Coop had stated that the project would be completed by 1984. Under the terms of the permit, which they agreed with, the water system was to have been completed in 1984 and water used to the fullest extent by October 1985. We have granted two extensions of time limits since then.

The Coop may submit another application, with fees, requesting a five year extension of time limits. This should be done in the fall of 1994. The Director's decision on whether or not to grant more time will depend on what was done during the past extension. By law, extensions may be granted for good cause shown.

Time limits will not be extended indefinitely, however. If an extension is denied, an application for a new permit probably could be submitted.

Sincerely,

Thomas E. Shook  
Water Right Specialist

cc: LAKE SHORE WATER DEVELOPMENT COOP



## WATER RESOURCES

DEPARTMENT

3850 Portland Rd NE  
Salem OR 97310

TO THE FUTURE  
FOR THE FUTURE  
TO THE FUTURE  
FOR THE FUTURE



**PRESORTED  
FIRST CLASS**



☐ MOVED, LEFT NO ADDRESS  
☐ FORWARDING ORDER KNOWN  
☐ ATTEMPTED NOT KNOWN  
☐ UNCLAIMED ☐ REFUSED  
☐ NO SUCH STREET  
☐ NO SUCH NUMBER

## LAKE STOKES WATER DEVELOPMENT COOP

~~206 Defor #4~~

fo. Box 652

~~EXPENSE~~ OR 97828

Joseph, Mr 97846

20th Oct

RECEIVED

NOV - 1 1993

WATER RESOURCES DEPT.  
SALEM, OREGON



10-17-93

47536

RECEIVED

OCT 20 1993

WATER RESOURCES DEPT.  
SALEM, OREGON

Oregon Water Resources Department—

RE: Lakeshore Water & Development Coop

I own lots 18, 19, 20, 21 of Tract #2 on Wallowa lake. We planned to build a home there eventually when we had the property paid off and money to build.

But now the Oregon Water Resources Department has intervened unfairly in my opinion, indicating that by Oct. 1, 1994 our water right may be negated if we have not built a home by then and live <sup>in</sup> it. How can we or anyone else do that if the property was for retirement?

And if we do not build and <sup>do</sup> lose the water right, ~~that~~ <sup>it</sup> will in effect substantially degrade the property value. How can you do this?

We must have that extension in order to develop our property into a residence. Had we any idea the State would so suddenly nullify water access for the property, we would not have bought it. You cannot do this to us and many others who have invested for retirement, our futures, and the future of Wallowa lake — its unfair, its inconsiderate and, worse, its typically bureaucratic.

Sincerely,  
Wayne Powell  
P.O. Box 596  
Sisters, OR 97159

July 8, 1993

Lake Shore Water Development Coop  
c/o Corey, Byler, Rew, Lorenzen and Hojem  
P.O. Box 218  
Pendleton, OR 97801

REFERENCE: File 47536

This is in response to a request for information about the status of water use Permit 46961, in the name of Lake Shore Water Development Coop.

The date for completion of construction and complete application of water under the terms of the permit are both October 1, 1994. By complete application of water we mean that the houses are built and have been lived in by the completion date. In the case where a recreational vehicle is used on the lot, we would expect a permanent water hook up be installed and the RV to have used water. Normally less water is allowed on lots used only part time for RV camping.

The dates for completion of construction and complete application of water may be extended by the Water Resources Director upon application. The decision of the Director is based on many things. The Director does NOT always grant extensions.

After the date for complete application of water, the Coop must notify the Department that the use is complete and request a water right certificate be issued. A final proof survey to determine the extent of beneficial use must be completed as part of the certification process. The Coop may hire a Certified Water Right Examiner to conduct the final proof survey. Or you may wait for the Department to conduct one. It may be several years before the Department may work in your area.



Lake Shore Water Development Coop  
File 47536  
July 8, 1993

Page 2

During the final proof survey, only those houses and RV's which have actually used water prior to the date for complete application of water may be included. Having water piped to the lot does not qualify for inclusion in the survey. Also in the case where an RV used water, a house may not built later and use additional water.

Much of this was explained in a letter from Steve Applegate of this office, dated April 18, 1990. Enclosed is a copy of that letter.

If you have any questions, please call the Water Rights Section, (503) 378-3739.

Sincerely,

LARRY H. NUNN  
Senior Water Rights Specialist

enclosure





## While You Were Out

To STEVE A

Date 7/22/89 Time \_\_\_\_\_

BARBARA JACKSON called

of LAKSHONA DEVELOPMENT

Phone A-47536  
P-46967

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Telephoned  | <input type="checkbox"/> In person          |
| <input checked="" type="checkbox"/> Please call | <input type="checkbox"/> Wants to see you   |
| <input type="checkbox"/> Will call again        | <input type="checkbox"/> Returned your call |

Message 509-525-2000  
EXT 211

EXTENSION OF TIME

Taken by John Wi





## STATE OF OREGON

WALLOWA COUNTY

### PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 47536 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Lakeshore Water and Development Coop., c/o William O. Reid, Secretary, of 206 Depot Street, Apartment 4, Enterprise, Oregon 97828, phone 426-3053, for the use of the waters of an unnamed stream, a tributary of Wallowa River, for the PURPOSE of domestic supplies for 110 families to include the irrigation of up to one-half acre noncommercial lawn or garden for each; that the PRIORITY OF THE RIGHT dates from September 17, 1970, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.80 cubic foot per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users.

The POINT OF DIVERSION is to be LOCATED: 550 feet North and 300 feet East from the South Quarter Corner of Section 17, being within the SW 1/4 SE 1/4 of Section 17, Township 3 South, Range 45 East, WM, in the County of Wallowa.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 3 South	Range 45 East, WM	Section 8	NE 1/4	NW 1/4	(Lot 1)	Domestic use
			NW 1/4	NE 1/4	(Lot 1)	for 110 fami-
			SE 1/4	NW 1/4	(Lot 2)	lies including
			SW 1/4	NE 1/4	(Lot 2)	irrigation of
			NW 1/4	SE 1/4	(Lot 3)	up to 0.5 acre
			SW 1/4	SE 1/4	(Lot 4)	noncommercial
		Section 17	NW 1/4	NE 1/4	(Lot 1)	lawn and
			SW 1/4	NE 1/4	(Lot 2)	garden each
			NW 1/4	SE 1/4	(Lot 3)	
			SW 1/4	SE 1/4	(Lot 4)	
		Section 20	NW 1/4	NE 1/4	(Lot 1)	
			SW 1/4	NE 1/4	(Lot 2)	

Actual construction work shall begin on or before October 7, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984. <sup>Extended to October 1, 1989</sup>

~~Complete application~~ of the water to the proposed use shall be made on or before October 1, 1985. <sup>Extended to October 1, 1989</sup>

WITNESS my hand this 7th day of October, 1982.

/s/ JAMES E. SEXSON

\_\_\_\_\_  
WATER RESOURCES DIRECTOR

## STATE OF OREGON

COUNTY OF      WALLOWA

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That      MILTON BOX COMPANY

of P. O. Drawer 1168, Pendleton      , State of      Oregon      , has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of unnamed stream

a tributary of      Wallowa River      for the purpose of domestic use of 29 families and one lodge

under Permit No.      23263      of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from      August 10, 1953

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.07 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 4 (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ), Section 17, T. 3 S., R. 45 E., W. M. Diversion point located 35 feet South and 93 feet West from the NW Corner, Lot 29 of Lake Shore Tracts No. 3.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to - - - - - of one cubic foot per second per acre,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Lot 8 (SE $\frac{1}{4}$  SW $\frac{1}{4}$ )

Section 5

Lot 1 (NE $\frac{1}{4}$  NW $\frac{1}{4}$ )

Lot 2 (SW $\frac{1}{4}$  NE $\frac{1}{4}$ )

Lot 3 (NW $\frac{1}{4}$  SE $\frac{1}{4}$ )

Lot 4 (SW $\frac{1}{4}$  SE $\frac{1}{4}$ )

Section 8

Lot 2 (SW $\frac{1}{4}$  NE $\frac{1}{4}$ )

Lot 3 (NW $\frac{1}{4}$  SE $\frac{1}{4}$ )

Section 17

T. 3 S., R. 45 E., W. M.

Land on which water is to be used is more explicitly described as follows:

Lots 1, 18, 20, 21, 23, 30, 34, 35, 38, 45, 47, 48, 49, 50, 60, 62, of Lake Shore Tracts, Section 8; Lots 67, 68, 69, 72, of Lake Shore Tracts No. 3, Section 17; Lot 25 of Trouthaven Tracts, Section 5; T. 3 S., R. 45 E., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date.      May 27, 1968

CHRIS L. WHEELER

State Engineer



STATE OF OREGON

COUNTY OF

WALLOWA

CERTIFICATE OF WATER RIGHT

**This Is to Certify, That**

LAKE SHORE WATER DEVELOPMENT COOP

of 206 Depot 4, Enterprise, State of Oregon 97828, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of unnamed stream

a tributary of Wallowa River for the purpose of domestic use for nineteen families

under Permit No. 32218 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from June 15, 1967 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.06 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 4 (SW 1/4 SE 1/4), Section 17, T3S, R45E, WM; 470 feet North and 460 feet East from S 1/4 Corner, Section 17.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ----- of one cubic foot per second per acre,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

Lot 8 (SE 1/4 SW 1/4)  
Section 5

Lot 1 (NW 1/4 NE 1/4)  
Lot 2 (SW 1/4 NE 1/4)  
Lot 1 (NE 1/4 NW 1/4)  
Lot 3 (NW 1/4 SE 1/4)  
Lot 4 (SW 1/4 SE 1/4)

Section 8

Lot 1 (NW 1/4 NE 1/4)  
Lot 2 (SW 1/4 NE 1/4)  
Lot 3 (NW 1/4 SE 1/4)

Section 17

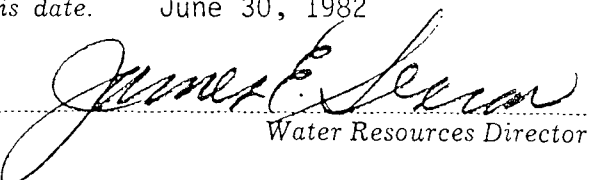
Township 3 South, Range 45 East, WM

Land on which water is to be used is more explicitly described as follows:  
Troughaven Tracts - Lot 28; Lake Shore Tracts - Lots 6, 14, 31, 39, 51, 53,  
and 59; Lake Shore Tracts 2 - Lots 49, 53, 54, 55, 60, 62, and 63; Lake Shore  
Tracts 3 - Lots 2, 3, and 64; Tax Lot 2700 (NE 1/4 NW 1/4), Section 8, T3S,  
R45E, WM

*The right to the use of the water for the purposes aforesaid is restricted to the lands or place  
of use herein described. and is subject to the existing minimum flow policies  
established by the Water Policy Review Board*

WITNESS the signature of the Water Resources Director, affixed

this date. June 30, 1982

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 45 , page 51097  
8829A

Best of luck

Love and support from the Process

Always with you

Love



RECEIVED

AUG 28 1985

WATER RESOURCES DEPT

SALEM, OREGON per. 46961

Info: Lakeshore Water & Development Coop., c/o William O. Reid Sec. 206 Depot Street, Apartment 4 Enterprise, Oregon 97828 phone 426-3053 Mr & Mrs Reid that there are 18 places that are done. These would include both permanent home and camper. They had a couple of new hook up this year. Along with one guy taking a mobile home out and building a cabin. They replaced some of their mainline this year because of freezing they also put in 3 fire stand. A fire stand is for fire tanker. They have selling more lots to. Most of the people buy more than just one lot. With all this information I gave Mr Reid an ext. form.

8-12-85

*David J. Chubb*

Note: I ask about fire protection. The "C" form was because they didn't understand.

PPS: If you have a need for it, the COOP's address is:

Barbara Jackson, Secretary-Treasurer  
LAKESHORE WATER & DEVELOPMENT COOPERATIVE  
P.O. Box 652  
Joseph, Oregon 97846

March 19, 1990

Mr. Steve Applegate  
Water Resources Dept.,  
3850 Portland Rd., N.E.  
Salem, Oregon 97310

RECEIVED

MAR 20 1990

WATER RESOURCES DEPT.  
SALEM, OREGON

Dear Mr. Applegate:

As a follow-up to our phone conversation today, I am enclosing a Section map of Lakeshore Tracts at Wallowa Lake, where our lots are located. Our concern is to obtain water from the Coop pipeline, which is located in the Lakeshore Drive, abutting our lots, which isn't presently possible under the Coop's By-Laws.

The original LAKESHORE WATER & DEVELOPMENT COOPERATIVE on the west side of Wallowa Lake was incorporated by the State of Oregon on April 26, 1974. The COOP was formed to provide water to its members as a non-profit organization, with membership fees supporting the water system and being changed as needed.

Our situation is that our lots #2600 and #2603, in the original LAKESHORE TRACTS, are not among those originally entitled to membership privileges. I assume this was an arbitrary decision based upon the 200-plus permits originally assigned to the Coop by the State. Presently there are some 55 members of the Coop using water from the Harris Spring. It can be readily established that numerous "Water Use Memberships" will remain un-used among the 200-plus controlled by the Coop. A case in point is: Last summer we sold the three lakefront lots across Lakeshore Drive from the two-in-question, and planned to retain one water certificate of one of those lots, but were told by a Coop Board member that we couldn't do this; the buyer of our three lots was agreeable to doing this because he didn't have a use for three water certificates. There are other examples along the lake where several lots owning water certificates have been sold to someone who has built one house on the middle of the property, and the certificates will go un-used.

We bought our lots, #2600 and 2603, to use as drainfield sites for septic installation, in 1983-84. Within a year, the Wallowa County Lake Sewer & Water District was formed, making our DEQ-approved drainfield site obsolete. The County sewer system began operating in April, 1989. While several water districts around the Wallowa Lake environs joined the County District for water and sewer service, the Lakeshore Water & Development Cooperative only elected to use the sewer service; the Coop voted to retain its own Harris Spring water system. Whereas we, and others, anticipated that our lots could get water from the County Service District in due time, that avenue was closed by the Coop's decision. As things stand, we are denied the use of water, which makes our property useless as viable real estate.

The Coop can no doubt change its By-Laws to accommodate this situation. If you can give us anything in writing that would help clarify the situation from your standpoint, we would appreciate it immensely. Contacting you was suggested by one of the Coop Board members, since no one seems sure of what procedure to follow.

P.S. The COOP water system serves parts of:  
Lakeshore Tracts, Lakeshore Tracts II, and  
Lakeshore Tracts III, including all water-  
front lots.

Sincerely,

*Lovene E. Brown*  
Lovene E. Brown

Lovene E. Brown  
1850 N.W. Albion Ct.  
Beaverton, OR 97006



WALLOWA COUNTY

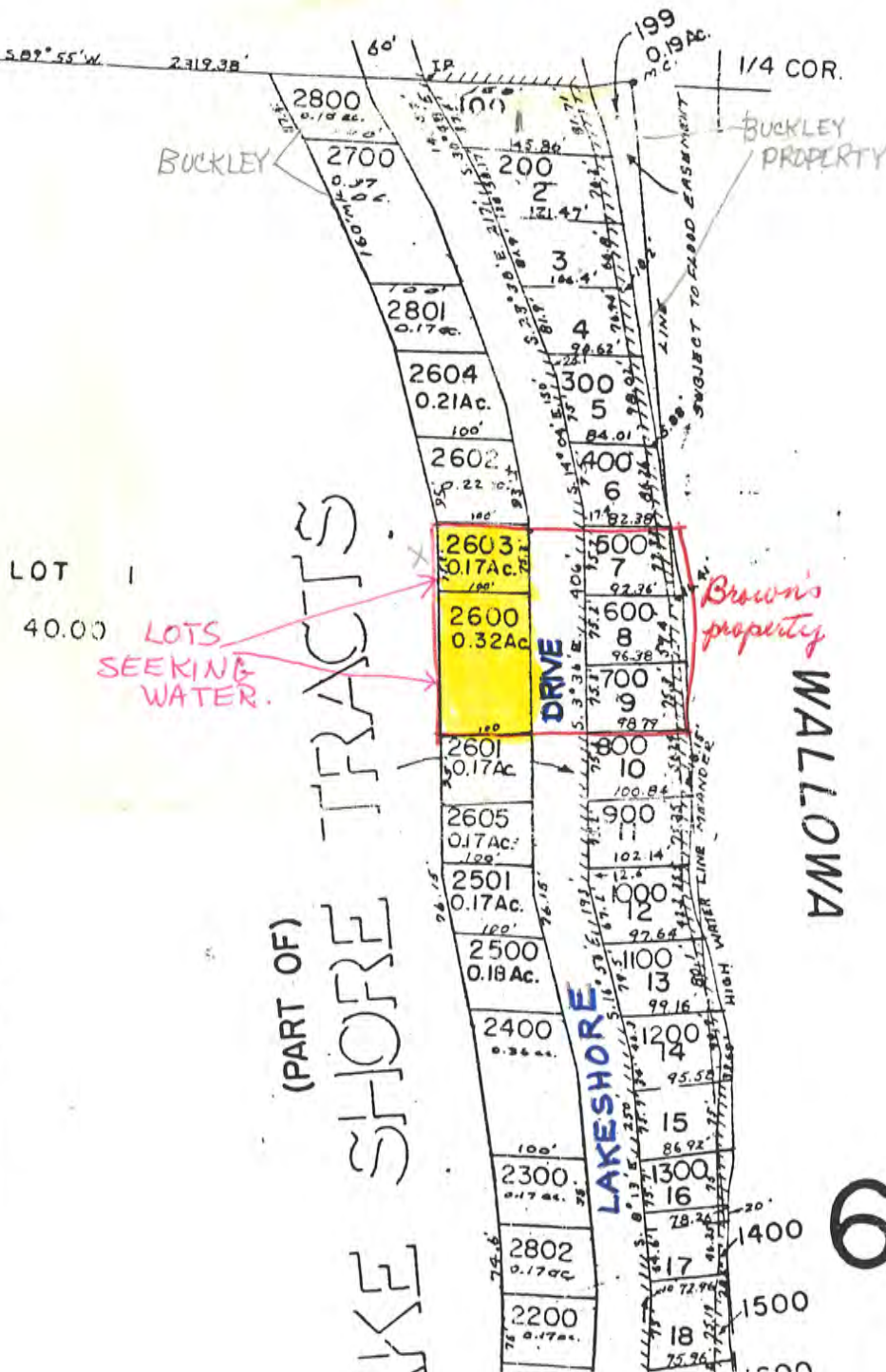
$$l'' = 200'$$

RECEIVED

MAR 20 1990

WATER RESOURCES DEPT.  
SALEM, OREGON

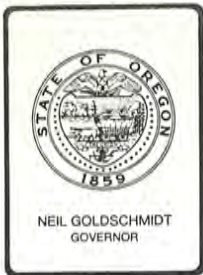
See Map 3S 45 5 C



See Map 3S 45 8

6-5





## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

April 18, 1990

Lovene E. Brown  
1850 NW Albion Court  
Beaverton, Or. 97006

Reference File 47536

Dear Mrs. Brown:

I received your letter of March 19, 1990, inquiring about water rights for your property at Wallowa Lake.

Lakeshore Water & Development Co-op has been issued at least two water right certificates, 34929 and 51097 (copies enclosed). These two rights allow for domestic use for 29 families and one lodge, and for domestic use for 19 families, respectively. As you can see, the place of use descriptions include specific tract and lot numbers for each domestic use confirmed by the certificate. The place of use under these rights cannot be changed without the filing and approval of a formal transfer application with this office. When the use under a permit is completed, the extent and location of the use is determined, and becomes fixed to the land at the time the certificate is issued.

The Co-op also holds water use Permit 46961, which allows for the development of domestic use for up to 110 families. Under the current (as extended) time limits of the permit, the use must be completely developed and in use by October 1, 1994. This date is subject to further extension, if continued progress toward completion can be demonstrated.


As we discussed by phone, the places of eventual use described under Permit 46961 would be subject to a reasonable amount of adjustment at the time final proof is made and the certificate is issued. Even though the 110 lots were identified on the application map for this permit, I believe this Department would ultimately allow other lots in the general area to be included under the final water right. The use (domestic), the source, quantity of water and the total number of families cannot change or exceed the permitted use. Minor variations in the place of

use, such as including a lot not necessarily identified in the permit, but within the same subdivision, would most likely be acceptable to this office.

The fact that this Department would potentially allow such a change in the permit, however, does not mean the Co-op would have to agree to the change. As I mentioned, the total of 110 families could not be exceeded under this permit. Presumably, if the Co-op were to agree to provide water to a lot not identified under the permit, some lot that was identified would not ultimately receive the water. If both the Co-op and the owner of one of the identified lots were to agree to serve a different lot, the Co-op should notify this office of their desire to make that change a matter of record. In that way, the Department would avoid giving out incorrect water right information to some potential buyer of those lots in the future.

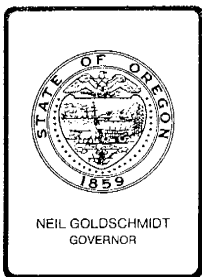
I trust this answers mmore questions than it raises. I see from correspondence in the file for Permit 46961 that the co-op had asked a similar question before. In our response letter in 1987, we stated that "a perfected water right is appurtenant to the land..." This is most certainly true of a "perfected" (completed) water right. Where no certificate has been issued and the permit is not completely developed, this is at least less true. The permit is "permission" to develop a water right, and it is only reasonable that minor adjustments be allowed during the development phase of any project. Our concerns would be to only allow such a variation if it caused no enlargement of the use granted by the permit, and caused no injury to any other water user.

Sincerely,



Steven P. Applegate  
Manager, Applications & Permits

cc: Lakeshore Water & Development Co-op



## *Water Resources Department*

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

April 19, 1990

Lakeshore Water & Development Coop  
P.O. Box 652  
Joseph, OR 97846

Reference File: 47536

Your application for extension of the time limits to complete construction and make complete application of water under the terms of your Permit 46961 was received. We also have your check for \$100.

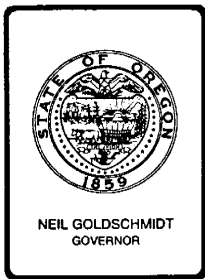
The application indicates reasonable diligence toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are extended to October 1, 1994.

Sincerely,

Steven P. Applegate, Manager  
Application/Permit Section

receipt enclosed





## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-8453

August 5, 1987

Helen L. Reid  
2742 N.E. Holmes Road  
Lincoln City, OR 97367

Dear Ms. Reid:

REFERENCE: File 47536

This will acknowledge your letter regarding Lakeshore Water and Development Coop's water right and questions pertaining to them.

You are correct that a perfected water right is appurtenant to the land and goes with the land at the time of sale. The Coop acts as the agent for all its users and also as the purveyor of the water, not the owner of the water.

The Coop has the responsibility to distribute water to all its legal users. Delivery of water to any user that is not included in one of the Coop's water rights, whether it is inside or outside its boundaries, is an illegal use of water and should be stopped. If the Coop delivered water to an illegal user, while shorting its own users, a civil suit could be filed against the officers.

I am unfamiliar with the laws regarding water and sewer districts. However, I do not believe it would have any effect on the Coop's rights.

Sincerely,

LARRY W. JEBOUSEK  
Manager  
Applications & Permits Section

LWJ:lgc

cc: Robert W. DeBow, Watermaster, District 7



## *Water Resources Department*

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

July 31, 1989

Lakeshore Water Development Coop.  
PO Box 652  
Joseph, OR 97846

ATTN: Barbara Jackson

Reference: File 47536

Enclosed is an application for requesting an extension of the time limits imposed on Permit 46961.

The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. Therefore, please complete this application in detail describing what has been accomplished.

The application must be received in this office with the statutory filing fee of \$100 for each permit.

Sincerely,

Steven P. Applegate, Manager  
Applications/Permits Section

SPA:tcb

Enclosure

Hayes  
Jebousek  
cc: Young

July 30, 1987

Department of Water Resources  
Mill Creek Office Park  
555 13th Street N. E.  
Salem, Oregon 97310

RECEIVED

JUL 31 1987

WATER RESOURCES DEPT.  
SALEM, OREGON

Attention: William H. Young, Director

Re: Lakeshore Water and Development Coop  
No. 34929  
No. 51097  
No. 46961

Dear Sir:

During a period in the 1970's and 1980's, I served as secretary for the Lakeshore Water and Development Coop. In that capacity I contacted, and was contacted by, the Department of Water Resources regarding the above Water Rights and Permits. Even though I am no longer secretary of the Coop, my husband and I still own property in the Lakeshore Tracts and are members of the Coop.

Recently some questions have arisen from Coop members regarding Water Rights. I find that the majority of our members, including myself, have little or very limited knowledge of Water Rights and how they work. And it is becoming increasingly apparent that we need to know more. So I am hoping that you or someone in the Department can answer some of our questions for us.

Am I correct in assuming that Water Rights are pertinent to the land rather than to individuals? Does the "right" to water then pass from owner to owner of lands as long as the water is put to the beneficial use described in the Water Right? In the case of the Lakeshore Water and Development Coop, where the Water Rights and Permits are issued in the name of the Coop, may I assume that the designated water does not belong to the Coop but is merely water to be transported by them to the individual member land parcels which have become entitled to it? Does the Coop have authority to distribute or sell the designated water to other individuals or properties? And if they do not have the authority, what could be the consequences of such an act as far as the Department of Water Resources is concerned?

Recently a Water and Sewer District was formed in Wallowa County which encompasses the lands described in the Water Rights and Permits I have referred to as well as other lands in that area. Does the formation of this District change the status of the Rights and Permits issued in the name of the Coop even though they were issued before the District was formed?



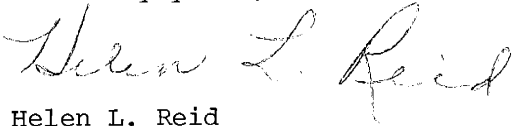
Department of Water Resources

2

I realize that my questions could probably be answered by reading the statutes and regulations, but it is difficult for those of us who are not familiar with some of the terms to understand what we are reading. So I will appreciate hearing and learning from you about these matters.

Thank you.

Sincerely yours,

A handwritten signature in cursive script that reads "Helen L. Reid". The signature is written in dark ink and is positioned above the typed name.

Helen L. Reid  
2742 N. E. Holmes Rd.  
Lincoln City, Oregon 97367

**Application for Extension of Time****RECEIVED**

SEP 27 1989

TO THE WATER RESOURCES DIRECTOR OF OREGON

WATER RESOURCES DEPT.  
SALEM, OREGONI, LAKESHORE WATER & DEVELOPMENT COOP

Name

P.O. BOX 652

Mailing Address

JOSEPH

City

OREGON

State

97846

Zip

record owner of water permit No. 46961, do hereby request that the time in which to:

☐ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19  , be extended to October 1, 19  ; and/or the time in which to

☒ accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1989, be extended to October 1, 1994.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

(1) within the past year See attached letter

(2) prior to this past year See attached letter

(3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) Domestic use only

(If additional space is required, attach separate sheet)

Barbara Jackson

(If signing for a corporation please identify your title)

Barbara Jackson, Secretary/Treasurer

Dated September 25, 1989

MAIL COMPLETED APPLICATION AND STATUTORY FEE  
OF \$100.00 FOR EACH PERMIT TO:

Water Resources Department  
3850 Portland Road N.E.  
Salem, Oregon 97310

#59049  
\$100.-  
9-27-89

*Lakeshore Water & Development Cooperative*

RECEIVED

SEP 27 1989

WATER RESOURCES DEPT.  
SALEM, OREGON

*P.O. Box 652 Joseph, Oregon 97846*

September 25, 1989

Mr. Steven P. Applegate, Manager  
Applications/Permits Section  
Water Resources Department  
3850 Portland Road NE  
Salem, Oregon 97310

Dear Mr. Applegate:

Enclosed is an application and our check in the amount of \$100.00 for an extention on permit #46961. We are requesting the extention based on the following conditions:

1. On September 1, 1989, we completed the installation of a tablet chlorination treatment to our water system. Mr. Gary Burnett, from your Pendleton office, confirmed that the system is fully operational and satisfactory as of September 20, 1989.
2. The majority of the lots for which this permit has been issued have to this point, not been eligible for the development of homes due to non issurance of septic permits by D.E.Q. In 1988, the Wallowa Lake Water and Sewer District completed the insatallation of a sewer line servicing the area. As a result, 3 lot owner requested and were hooked on to the water system in 1988 and 1 so far in 1989. Prior to the sewer installation, 1 lot owner hooked on in 1986 with no additions in 1987.

With the enhancement of the sewer line, the interest of home construction in the area has increased greatly, If I understand the progression of a "permit" to a "certificate" correctly, the certificate can not be issued until all the lots have been developed. If that is a true statement, I believe the number of developed lots will continue to increase at an accelerated rate in the next five years so the issuance of a certificate may be more feasible in 1994.

Our water system is operating very well at this time and the addition of chlorination has been a major improvement for us. Please advise me of your decision on this extension request at your earliest convenience.

Sincerely,

*Barbara Jackson*

Barbara Jackson  
Secretary/Treasurer



P H O N E  M E M O	TO	Lucille J.		DATE	6/21	TIME	4:05	AM		
	FROM	Roxy Ogilvie		AREA CODE				PM		
	OF			NO.	963-5598					
					EXT.					
M E S S A G E	WR on Wallowa Lake has lot 500 S8 35 45E SWSE needs to complete hookup. → SIGNED: <i>Ben</i>									
	PHONED	<input checked="" type="checkbox"/>	CALL BACK	<input checked="" type="checkbox"/>	RETURNED CALL	<input type="checkbox"/>	WANTS TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
	WAS IN		<input type="checkbox"/>	URGENT		<input type="checkbox"/>				

Lake Shore Water saying she has to  
show she has a WR b/f hooking  
up. Their maps show her lot  
as included in permit. 6/23/89

Sci

## Application for Extension of Time

RECEIVED

AUG 15 1985

TO THE WATER RESOURCES DIRECTOR OF OREGON WATER RESOURCES DEPT  
SALEM, OREGON

I, LAKESHORE WATER &amp; DEVELOPMENT COOP

c/o William O. Reid, Sec.  
206 Depot St. #4

Mailing Address

Enterprise

City

Oregon

State

97828

Zip

record owner of water right permit No. 46961, do hereby request that the time in which to:

☐ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19....., be extended to October 1, 19.....; and/or the time in which to☒ accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1985., be extended to October 1, 1990.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

within the past year See attached letter

prior to this past year See attached letter

and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) Domestic use 18 sites

(If additional space is required, attach separate sheet)

Wm O. Reid, Sec.

(If signing for a corporation please identify your title)

Dated August 13, 1985

MAIL COMPLETED APPLICATION AND STATUTORY FEE  
OF [REDACTED] FOR EACH PERMIT TO:Water Resources Department  
Mill Creek Office Park  
555 13th Street, N.E.  
Salem, Oregon 97310

plus: No additions can be made to a permit once issued. Your fire hydrants, however, do not require a permit. We do not issue permits for fire use except for emergency fire fighting water. We issue permits for maintenance of fire suppression equipment but you must not use it.

B1002  
81583  
#47192  
10000B-C  
10-1-89  
BAC



378-8508

October 25, 1984

LAKE SHORE WATER DEVELOPMENT COOR  
Attention: Mr. William O. Reid  
206 Depot #4  
Enterprise, OR 97828

REFERENCE: File Number 47536

Dear Mr. Reid:

I am enclosing a form for use in making application for an extension of time limits under Permit Number 46961

The Water Resources Director is permitted by law to extend the time for completion of a project only upon a showing of reasonable diligence by the permittee. Therefore, you should fill out this application carefully and completely describing what has been accomplished.

The application must be submitted to this office with the statutory filing fee in the amount of \$100 for each permit.

Sincerely,



BRUCE A. ESTES, Supervisor  
Survey/Certificate Section

BAE:wpc

690-10-115  
6164A

The completed assignment must be submitted to the Water Resources Department, 1178 Chemeketa St, N.E. Salem, Oregon 97310, together with a recording fee of \$2.00.

12-15-80  
\$2.00  
#21941

47536

October 14, 1982

Lake Shore Water  
Development Coop.  
c/o William O. Reid  
206 Depot #4  
Enterprise, OR 97828

47536

46961



378-3066 or  
1-800-452-7813  
(message line)

September 20, 1982

Lake Shore Water Development Coop.  
c/o William O. Reid, Secretary  
206 Depot 4  
Enterprise, OR 97828

Gentlemen:

REFERENCE: File 47536

Thank you for the return of your superseding Application 47536 now describing the proposed use of 2.0 cubic feet of water per second from an unnamed stream for the domestic supplies for 110 families to include the irrigation of up to one-half acre noncommercial lawn and garden for each home, along with the proper maps.

Your application now appears to be in satisfactory form and will be placed with the group to be considered for approval by the issuance of permits.

Sincerely,

Stephen C. Brown  
Senior Water Rights Examiner

SCB:tw



Lakeshore Water & Development Cooperative

RECEIVED

SEP 2 1982

WATER RESOURCES DEPT.  
SALEM, OREGON

206 Dept. No. 4  
~~P.O. Box 514 - Joseph, Oregon 97846~~  
Enterprise, Ore.  
97828

Tom:

Enclosed is corrected application -  
new & old maps & quarter section  
guide we used.

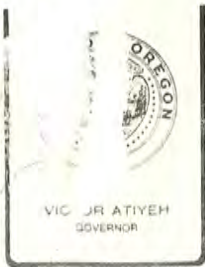
You will note the change on  
the point of diversion. Please send  
the applications for changing this on  
the other rights.

If you need any different information,  
etc., please call. We will be in the  
Salem area about Sept. 8<sup>th</sup> and could  
stop by & take care of anything else  
on this then.

Many thanks for your good help.

Sincerely -

Bill & Helen Reid



**Water Resources Department**  
**MILL CREEK OFFICE PARK**

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066 or  
1-800-452-7813  
(message line)

July 15, 1982

Lakeshore Water Development Coop.  
c/o William O. Reid, Secretary  
206 Depot 4  
Enterprise, OR 97823

Dear Mr. Reid:

REFERENCE: File 47536

Your Application 47536 now describing the proposed use of 2.0 cubic feet of water per second from an unnamed stream for domestic use for 30 families along with the accompanying maps, have been reviewed.

It will be necessary for your maps to clearly indicate the location of the homes to be served by this application, the total of which should be in agreement with the number defined in Item 6.

Currently, there are water rights of record for 48 homes and one lodge. The map should indicate the location of the additional homes to be served by the system by quarter-quarter section and the application should describe the subdivision, block and lots on which the water is to be applied by this application.

It will be necessary for you to clarify your intended use. Domestic use, generally, is considered to be inhouse use, but may include up to one-half acre irrigation of lawn or noncommercial garden if the irrigation system is an integral part of the domestic system. Therefore, if you intend an integral system and do not intend to exceed the one-half acre, the use may be specifically stated as "domestic supplies including the irrigation of a lawn or noncommercial garden not to exceed one-half acre in area for each" in Item 5 of your application. When the irrigation of the lawn and garden are included within the domestic use, the irrigation use must stop if the inhouse use is discontinued.

Please complete Items 8 and 9 of the application indicating when the dwellings being applied for will be completed and when the water will be completely applied to the proposed use.

The maps submitted should clearly identify the quarter-quarter section in which the use is to be made. To do this, you should project the quarter-quarter section lines on your maps.



Lakeshore Water Development Coop.  
c/o William O. Reid, Secretary  
July 15, 1982  
page two

I am returning the application and maps to you for correction and completion. The application is endorsed so that in order to retain its priority date, it must be received in this office on or before September 15, 1982.

Sincerely,

Stephen C. Brown  
Senior Water Rights Examiner

SCB:tw  
enclosures

RECEIVED

JUL 1 1982

WATER RESOURCES DEPT  
SALEM, OREGON

June 28<sup>th</sup>

Tom -

Enclosed is the original application  
for Lakeshore Water & Sewer. Coop  
plus the corrected one - maps, etc.

I have done this as we discussed  
on the phone.

Hope it is all okay.

Sincerely,  
Zelen Reid



## *Water Resources Department*

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

May 27, 1982

Lake Shore Water Development Coop

206 Depot #4,

Enterprise, Oregon 97828

REFERENCE: File No. 43118 and 47536

Attention: Helen Reid:

Here is a corrected proof form for Permit No. 32218 based on our telephone discussion the other day.

I have also enclosed your Application No. 47536 and the supporting maps. You should examine the information on the application and maps and make any necessary changes because when we approve your request by issuing a permit, the place of use of water will be restricted to the area described in the permit.

Please note, Application No. 47536 is endorsed, so that in order to retain the priority date, the application must be received in this office on or before July 27, 1982.

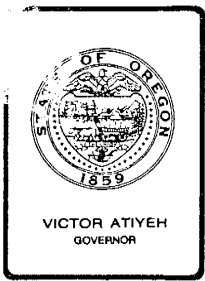
Sincerely,

Thomas E. Shook  
Senior Water Rights Examiner

TES/jw

Enclosure





## *Water Resources Department*

### MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

December 19, 1980

Lake Shore Development Co-op  
c/o William O. Reid  
206 Depot #4  
Enterprise, OR 97828

Dear Mr. Reid:

REFERENCE: Files Numbered 43118 and 47536

The assignments of applications numbered 43118 (permit number 32218) and 47536 have been recorded in the records of the Water Resources Department. Our records have been changed accordingly, and the originals are enclosed.

Our receipt number 21941 covering the \$4 recording fee along with a copy of this letter is being sent to Milton Box Company.

Sincerely,

Thomas E. Shook  
Water Rights Engineer

TES:lrs  
Enclosure

cc: Milton Box Company



## *Water Resources Department*

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

43118

October 5, 1979

Alex M. Byler  
Corey, Byler and Rew  
PO Box 218  
Pendleton OR 97801

Dear Mr. Byler:

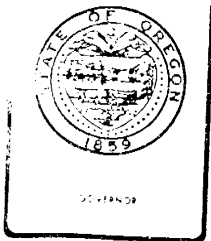
The information relayed in my July 20, 1979, letter regarding the Milton Box Company permit 32218 is still not concluded. Has a decision been made to make the assignment into some other name than Lake Shore Water Development Cooperative or is it currently proper to send the final proof to Norman Thorgersen, secretary for the Milton Box Company? We need that information before we can complete the work under permit 32218. The only reason for holding up on the proof at this time, is to send it out to the proper name.

Thank you very much for any information you have regarding the status of this permit presently.

Sincerely,

Bruce A. Estes, Supervisor  
Survey/Certificate Section

BAE:cjw  
Enclosure



## *Water Resources Department*

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

File 43118 & 47536

July 20, 1979

Alex M. Byler  
Corey, Byler & Rew  
222 S. E. Dorion Ave.  
Pendleton, OR 97801

Dear Mr. Byler:

I have just uncovered your letter of July 20, 1977 to Trevor Jones regarding the Milton Box Company Water rights. Please excuse the long delay. I am very sorry that it was not unearthed earlier.

You wished to assign the water rights under certificate 34929 and permit number 32218 to Lake Shore Water Development Cooperative. Assignment of a certificate is not necessary since the water right is appurtenant to the land no matter who the present ownership is. Statutes did not provide for assignment of certificates since it was not a necessity. The assignment of permit number 32218 to Lake Shore Water and Development Cooperative would allow us to continue towards the issuance of a water right certificate under that permit. We would be most happy to see that permit concluded and that certificate issued to the proper ownership. Please use enclosed assignment form for that purpose.

The assignment, when completed, should be submitted to this office along with \$2.00 for the statutory recording fee. We will then record the assignment and change our records accordingly.

The information that you have submitted on July 26, 1977, regarding the tract maps is being forwarded to the permit section to be able to complete the processing of application number 47536. Hopefully, we will be able to accomplish this as soon as the proof is prepared under the permit number 32218 so that the new application will properly cover the parcels left.

Thank you very much for your patience.

Sincerely,

Bruce A. Estes, Supervisor  
Survey-Certificate Section

Water  
Resources



GEORGE H. COREY  
ALEX M. BYLER  
LAWRENCE B. REW  
STEVEN H. COREY

COREY, BYLER & REW  
ATTORNEYS AT LAW  
222 S. E. DORION AVE.  
P. O. BOX 218  
PENDLETON, OREGON 97801

TELEPHONE  
AREA CODE 503  
276-3331

July 26, 1977

State Engineer  
Water Resources Department  
1178 Chemeketa Street N. E.  
Salem, Oregon 97310

Re: File Numbers 47536, 43118 and 28697

Attention: Mr. Trevor Jones

Dear Mr. Jones:

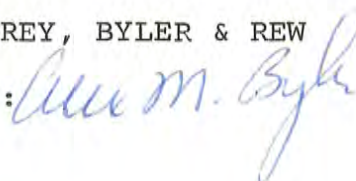
The Wallowa County Clerk has now supplied us with copies of the plat maps for Lake Shore Tracts II and III. The four pages making up such maps are enclosed herewith.

I understand that your office will now be able to finish the work on the second permit so that a water right certificate can be issued in due course.

Sincerely yours,

COREY, BYLER & REW

By:



AMB:jm

enclosures

cc: Milton Box Company

cc: Lake Shore Water & Development Cooperative

GEORGE H. COREY  
ALEX M. BYLER  
LAWRENCE B. REW  
STEVEN H. COREY

COREY, BYLER & REW  
ATTORNEYS AT LAW  
222 S. E. DORION AVE.  
P. O. BOX 218  
PENDLETON, OREGON 97801

TELEPHONE  
AREA CODE 503  
276-3331

July 20, 1977

State Engineer  
Water Resources Department  
1178 Chemeketa Street N. E.  
Salem, Oregon 97310

WATER RESOURCES DEPT  
SALEM, OREGON

Re: File Numbers 47536, 43118 and 28697

Attention: Mr. Trevor Jones  
Assistant

Dear Mr. Jones:

Milton Box Company wishes to assign its rights under Certificate number 34929 and Permit number 32218 to Lake Shore Water & Development Cooperative. Could you please furnish me with the necessary assignment forms.

In addition, it would like to complete the filing of application number 47536. My file reflects that this application is still held in your office pending clarification which can be made through use of plats for the three Lake Shore Tracts. My client has indicated that it wants to change the place of use from the real property described in application number 47536 to that property which is described on Exhibit "A" attached hereto. Could you advise me how we can accomplish an amendment to the application and if the application can now be accepted for filing by your office.

I would appreciate your giving me a call on this matter next week, if possible, as we are interested in trying to complete the filing as soon as possible.

Sincerely yours,

COREY, BYLER & REW

By: 

AMB:jm

enclosure

cc: Milton Box Company (with enclosure)



December 3, 1985

Lake Shore Water Development Co-op  
c/o Helen Reid  
206 Depot Street #4  
Enterprise, OR 97828

REFERENCE: File 47536

This letter is in response to our telephone discussion on November 26, 1985.

Our records show that certificate of water right recorded at page 34929, Volume 26, State Record of Water Right Certificates, was issued evidencing the right to the use of water from the unnamed stream for domestic supplies and use in a lodge. The priority date is August 10, 1953. Certificate 51097 refers to the right to the use of water from an unnamed stream for domestic use under a priority date of June 15, 1967. Your latest permit, No. 46961, which has a priority date of September 17, 1970, also allows the use of water from the unnamed stream for domestic supplies.

The priority dates were established upon filing of each of the applications for permits in the office of the Water Resources Department. These dates can be defended against encroachment by subsequent claimants but are subject to prior rights. A permit grants the right to appropriate water to the extent of the amount granted in the permit, which may be available from the described source after all prior claims have been satisfied.

The most recent policy adopted by the State for the Grande Ronde River Basin, dated May 30, 1985, specifically addresses the Wallowa River Basin. Permits issued as of that date will be restricted to the appropriation of water only for domestic, livestock, municipal, irrigation, power development, industrial, mining, recreation, wildlife and fish life purposes.

Sincerely,

THOMAS E. SHOOK  
Senior Water Rights Examiner

TES:wpc

1536D





*Water Resources Department*  
**MILL CREEK OFFICE PARK**

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

September 9, 1985

Lakeshore Water & Development Coop  
c/o William O. Reid, Secretary  
206 Depot Street #4  
Enterprise, OR 97828

REFERENCE: File Number 47536

Attention: Mr. William O. Reid:

Your application for an extension of the time limits in which to complete construction and make complete application of water under the terms of your Permit Number 46961 was received. We also have your check in the amount of \$100.

The application indicates reasonable diligence has been exercised toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are being extended to October 1, 1989.

No additions can be made to a permit once issued. Your fire hydrants, however, do not require a permit. We do not issue permits for fire use except for reservoirs to store fire fighting water. We issue permits for maintenance of fire suppression equipment but your hydrants do not need it.

Sincerely,

Bruce A. Estes, Supervisor  
Survey/Certificate Section

BAE/jw

Enclosure

RECEIVED

DEC 10 1985

WATER RESOURCES DEPT  
SALEM, OREGON

Enterprise, Oregon  
December 6, 1985

Water Resources Dept.  
3850 Portland Road N.E.  
Salem, Oregon 97310

Attn: Mr. Tom Shook

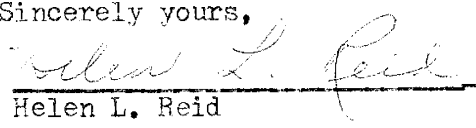
Re: File No. 47536

Dear Mr. Shook:

Thank you for your letter concerning our recent telephone conversation. I realize that I am imposing upon you but I do need some clarification on some other matters concerning Water Rights.

I am enclosing a proposed agreement which has been presented to the Lakeshore Water and Development Coop. I am confused about the wordings in numbers 5, 6, 7, and 8 on page 2. I cannot find any mention in the material the Coop has that mentions the leasing of Water Rights as stated in No. 6 nor do I understand the making of excess water available as stated in No. 8. The Wallowa Lake State Park does have a water right (Permit No. 21554). Can an entity such as WLWSSA file for a water right for someone else as is stated in No. 5?

Sincerely yours,

  
Helen L. Reid

RECEIVED

DEC 10 1985

WATER RESOURCES DEPT  
SALEM, OREGON

AGREEMENT

WHEREAS the WALLOWA COUNTY COURT (hereafter COURT), the WALLOWA LAKE WATER SUPPLY AND SANITARY AUTHORITY (hereafter WLWSSA), the LAKE SHORE WATER AND DEVELOPMENT COOPERATIVE (hereafter LSWDC), the Blue Mountain Council of the Boy Scouts of America (hereafter SCOUTS), OREGON STATE PARKS DIVISION (hereafter STATE PARKS), and U.S. FOREST SERVICE (hereafter FOREST SERVICE) and other interested legal entities wish to provide residents of and visitors to the Wallowa Lake Basin a safe water supply that meets State of Oregon and Federal drinking water standards; and

WHEREAS the COURT, WLWSSA, LSWDC, SCOUTS, STATE PARKS and FOREST SERVICE wish to protect the water quality and environmental integrity of Wallowa Lake because of its importance to the citizens of Wallowa County and the State of Oregon; and

WHEREAS the COURT, WLWSSA, LSWDC, SCOUTS, STATE PARKS, and FOREST SERVICE support the development of public facilities to enhance diversification of the economy of Wallowa County and the State of Oregon.

NOW, therefore, the COURT, WLWSSA, LSWDC, SCOUTS, STATE PARKS and FOREST SERVICE do hereby agree as follows:

1. THAT funding will be sought from appropriate Federal, State of Oregon and local sources necessary to provide safe drinking water in the Wallowa Lake Basin.

2. THAT all parties will support and promote the efforts of applicants for the South Wallowa Lake Consolidated Water System Project to obtain grant funds for project engineering and construction costs.

3. THAT grant and local funding support will be sought from the following sources and according to the following anticipated application schedule:



Applicant/Activity	Funding Source(s)	Amount	Application Date
Wallowa County Court			
South Wallowa Lake Consolidated Water System Construction	a. EDA**	\$100,000	October 21, 1985
	b. IRD	\$500,000	December 2, 1985
	c. Local***	\$250,000	March, 1986

4. THAT other funding sources will be sought, if and when opportunities develop, but that the effort to obtain funding will be a co-ordinated effort by all parties.

5. THAT WLWSSA will file for water rights on Harris Spring for the U.S. Forest Service on behalf of users within WLWSA boundaries, along the west moraine and other water systems connected to the WLWSA South Wallowa Lake Consolidated Water System.

6. THAT the FOREST SERVICE will lease the Harris Spring water rights to the WLWSSA for a yearly fee established by FOREST SERVICE regulation.

7. THAT the STATE PARK will become a customer of the WLWSSA South Wallowa Lake Consolidated Water System as noted in Mr. John Hollingsworth's letter of October 11, 1985, and STATE PARK Sewer and Water District Participation Policy (copies attached and are a part of this agreement).

8. THAT the STATE PARK will continue to operate and maintain the water system serving the Wallowa Lake State Park and will make excess water available for distribution by WLWSSA through the South Wallowa Lake Consolidated Water System.

9. THAT the WLWSSA and LSWDC will co-operate for purposes of expanding the boundaries of the WLWSSA to include that area along the west moraine from the current northern

---

\* IRD means State of Oregon, Executive Department, Intergovernmental Relations Division, 155 Cottage Street N.E., Salem, OR.

\*\* EDA means the U.S. Department of Commerce, Economic Development Administration, Federal Building, Room 611, 1221 S.W. Third Avenue, Portland, OR.

\*\*\* Local means Wallowa County public and private sector funding sources.

\*\*\*\* FmHA means the U.S. Department of Agriculture, Farmers Home Administration, Federal Building, Room 1590, 1220 S.W. Third Avenue, Portland, OR.

WLWSSA boundary to the City of Joseph urban growth boundary identified as follows:

Tax Lots 2601, 2900, 3000, 3100, 3101, 3102, 3300, on Assessor's Map 2S 45 31; Tax Lot 9300 on Assessor's Map 2S 45; Tax Lots 1900, 2001, 2002 on Assessor's Map 3S 45; all those Tax Lots on Assessor's Map 3S 45 5BC in the SW 1/4 NW 1/4, Sec. 5, T3S R 45 E.W.M.; all Tax Lots on Assessor's Map 3S 45 5C in SW 1/4 Sec. 5 T3S R 45 E.W.M.; all Tax Lots on Assessor's Map 3S 45 8B in NW 1/4 Sec. 8, T3S R 45 E.W.M.; all Tax Lots in Assessor's Map 3S 45 8C in SW 1/4 Sec. 8 T3S R 45 E.W.M.; all Tax Lots in Assessor's Map 3S 45 17A in NE 1/4 Sec. 17 T3S R 45 E.W.M.; all Tax Lots in Assessor's Map 3S 45 17D in SE 1/4 Sec. 17 T3S R 45 E.W.M.; Tax Lots 6501, 6100 on Assessor's Map 3S 45.

10. THAT the WLWSSA and LSWDC will sponsor the circulation of a petition to all registered voters residing in the area as described below, providing that a majority of the registered voters residing in the area agree, requesting that the COURT annex the area into the WLWSSA:

Tax Lots 2601, 2900, 3000, 3100, 3101, 3102, 3300, on Assessor's Map 2S 45 31; Tax Lot 9300 on Assessor's Map 2S 45; Tax Lots 1900, 2001, 2002 on Assessor's Map 3S 45; all those Tax Lots on Assessor's Map 3S 45 5BC in the SW 1/4 NW 1/4, Sec. 5, T3S R 45 E.W.M.; all Tax Lots on Assessor's Map 3S 45 5C in SW 1/4 Sec. 5 T3S R 45 E.W.M.; all Tax Lots on Assessor's Map 3S 45 8B in NW 1/4 Sec. 8, T3S R 45 E.W.M.; all Tax Lots in Assessor's Map 3S 45 8C in SW 1/4 Sec. 8 T3S R 45 E.W.M.; all Tax Lots in Assessor's Map 3S 45 17A in NE 1/4 Sec. 17 T3S R 45 E.W.M.; all Tax Lots in Assessor's Map 3S 45 17D in SE 1/4 Sec. 17 T3S R 45 E.W.M.; Tax Lots 6501, 6100 on Assessor's Map 3S 45.

11. THAT the COURT will apply for grant funds to construct the South Wallowa Lake Consolidated Water System.

12. THAT all other legal entities interested in entering into this agreement shall be given the opportunity to do so by agreement of all signees to this agreement through an amendment process.

13. THAT this agreement shall be in effect from \_\_\_\_\_, 1985 to \_\_\_\_\_, 1990, unless earlier terminated by mutual agreement of all the parties hereto; PROVIDED HOWEVER, that this entire agreement, admitting that the substance of this contract is in the planning stage only, is and shall be subject to the following conditions:

A. That proposed studies show the plan to be feasible and legal in all regards and meet with full approval of the governing body of each party;

B. That adequate funding be obtained through appropriate State and Federal agencies;

C. That the people comprising WLWSSA approve subsequent bond measures to support implementation to the Authority's share of this agreement.

If any one or more of the above fail occur for the South Wallowa Lake Consolidated Water Project, this agreement shall be null, void and of no further force or effect.

14. IT is the interest of the parties to this agreement that the purposes of this cooperative undertaking, as set out in 1 to 12 above, shall for the term of this agreement be accomplished by the parties to this agreement; but after the completion of the water project, that the appropriate governments will enter into agreements for the operation, maintenance, and replacement of the systems developed under this agreement.

Wallowa County Court

by: \_\_\_\_\_ date: \_\_\_\_\_

title: \_\_\_\_\_

Wallowa Lake Water Supply and Sanitary Authority

by: \_\_\_\_\_ date: \_\_\_\_\_

title: \_\_\_\_\_

Lake Shore Water and Development Cooperative

by: \_\_\_\_\_ date: \_\_\_\_\_

title: \_\_\_\_\_

Oregon State Parks Division

by: \_\_\_\_\_ date: \_\_\_\_\_

title: \_\_\_\_\_

Blue Mountain Council, Boy Scouts of America

by: \_\_\_\_\_ date: \_\_\_\_\_

title: \_\_\_\_\_

U.S. Forest Service

by: \_\_\_\_\_ date: \_\_\_\_\_

title: \_\_\_\_\_



378-8508

December 17, 1985

Lake Shore Water Development Coop  
206 Depot No. 4  
Enterprise, OR 97828

Attention: Helen Reid:

REFERENCE: File 47536

We have received your letter dated December 6, 1985 along with a copy of a draft of the South Willowa Lake Consolidated Water System Agreement.

Ownership of land is not required in order to establish a water right of record, so the answer to your last question, "Can an entity such as WLWSSA file for a water right for someone else as is stated on No. 5?" is yes, of course, subject to any state restrictions, withdrawals, minimum flow requirements, etc.

It seems to me that your concerns about the wording in Nos. 6, 7, and 8 on Page 2 of the agreement are more in the nature of a question of law. At least the statements in question are subjects on which this agency has no jurisdiction. You probably should discuss these items with your attorney.

Sincerely,

THOMAS E. SHOOK  
Senior Water Rights Examiner

TES:wpc

1720D



## *Water Resources Department*

### MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-2982

June 28, 1985

Helen L. Reid

206 Depot Street, No. 4  
Enterprise, OR 97828

Dear Ms. Reid:

Your letter, asking about the exemption in the requirements for filing for domestic use of water, has been received.

You are correct in noting that a statutory exemption exists for single or group domestic use under 5000 gallons per day. This exemption, along with some others, appears in ORS 537.545 and refers only to use of water from wells. No such exemption exists for use of water from surface sources, regardless of the quantity diverted.

Had use of water as proposed in your applications been exempt under the statutes you would have been informed at the time the applications were submitted. This office cannot accept applications for uses which are exempt.

I hope I have been able to answer your questions.

Sincerely,

WILLIAM H. YOUNG  
Director

WHY:wpc

9224C



# Route Slip



Date 6-24

TO:	Name	Division/Section	Initial	Date
1.	Young		why	
2.	Johnson			
3.	Ralph			
4.				
5.				

<input type="checkbox"/>	as requested	<input type="checkbox"/>	investigate	<input type="checkbox"/>	per conversation
<input type="checkbox"/>	approval	<input type="checkbox"/>	justify	<input checked="" type="checkbox"/>	prepare reply
<input type="checkbox"/>	comment	<input type="checkbox"/>	necessary action	<input type="checkbox"/>	return with more detail
<input type="checkbox"/>	confer	<input type="checkbox"/>	initial and return	<input type="checkbox"/>	review and circulate
<input type="checkbox"/>	for your information	<input type="checkbox"/>	note and file	<input checked="" type="checkbox"/>	signature <u>WHY</u>

FROM: William H. Young Phone No. \_\_\_\_\_

Central Stores 51569

☐ See Other Side



Recycled Paper

# Route Slip



Date 6/27

TO:	Name	Division/Section	Initial	Date
1.	BILL Y.			
2.				
3.				
4.				
5.				

<input checked="" type="checkbox"/>	as requested	<input type="checkbox"/>	investigate	<input type="checkbox"/>	per conversation
<input type="checkbox"/>	approval	<input type="checkbox"/>	justify	<input type="checkbox"/>	prepare reply
<input type="checkbox"/>	comment	<input type="checkbox"/>	necessary action	<input type="checkbox"/>	return with more detail
<input type="checkbox"/>	confer	<input type="checkbox"/>	initial and return	<input type="checkbox"/>	review and circulate
<input type="checkbox"/>	for your information	<input type="checkbox"/>	note and file	<input checked="" type="checkbox"/>	signature

FROM: RALPH Phone No. \_\_\_\_\_

Central Stores 51569

☐ See Other Side



Recycled Paper



Enterprise, Oregon  
June 20, 1985

State of Oregon, Water Resources Department  
Mill Creek Office Park  
555 13th Street, NE  
Salem, Oregon 97310

**RECEIVED**  
JUN 24 1985  
WATER RESOURCES DEPT  
SALEM, OREGON

Attn: James E. Sexson, Director

Re: File No. 34929, 51097, 47536

Dear Mr. Sexson:

For the past several years I have been involved with the Lakeshore Water and Development Coop which provides water service for our member landowners on the west side of Wallowa Lake. During that time I have been in contact with various members of the Water Resources staff concerning the above Water Rights.

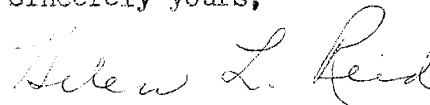
A member of the Board of Directors of our Coop has recently questioned me concerning the need for these rights. He is in possession of a pamphlet issued by the Water Resources Department in 1983 entitled GROUND WATER APPLICATIONS and has referred to "Exempt Uses" as defined on page 2, specifically the exemption for group use up to 5000 gallons per day. The pamphlet which we have had in our files is entitled SURFACE WATER APPLICATIONS and is dated 1980.

If our residents are entitled to water without application or permit, then I believe we should have been informed of this by someone from the Department.

Could you please clarify this issue for me?

Thank you.

Sincerely yours,



Helen L. Reid  
206 Depot Street, No. 4  
Enterprise, Oregon  
97828

*Lakeshore Water & Development Cooperative*

RECEIVED

AUG 15 1985

WATER RESOURCES DIV.  
SALMON, OREGON

P.O. Box 652 - Joseph, Oregon 97846  
August 13, 1985

Mr. Bruce Estes, Supervisor  
Survey/Certificate Section  
Water Resources Dept.  
555 13th St. N. E.  
Salem, Oregon

Re: Permit #46961  
File # 47536

Dear Mr. Estes:

Enclosed is an application and our check in the amount of \$100 for an extension on the above permit. We realize that in October of 1984 we sent notice of completion for this permit. However, economic conditions and the strict requirements of the D.E.Q. at that time led us to believe that we would not have much further development. Since then the Wallowa County Court has applied for a State grant which would enable them to install a sewer line to serve our area and the D.E.Q. has informed us that they will be holding hearings in December 1985 on regulations that would allow new types of disposal systems which would make it easier for our land owners to build dwellings.

In 1983 we had a total of 9 new water hook-ups - - one of which was a mobile home which is now being replaced with a frame dwelling. In 1984 we had 7 new water users and in 1985 2 new users and one which expects to hook-up before Oct. 1, 1985. During the summer of 1984 we installed three 2" water hydrants along Lakeshore Drive which are painted red and are marked "Fire Use Only". These were installed because our residents became concerned about fire hazards and will be used only to fill the "pumper" trucks from Joseph, Oregon or the State Forest Service. Our cost for the installation of these was \$1408.50 and we would like to have them included in this permit and its extension. We would also like to install 3 more of these hydrants along Lakeshore Drive bringing the total to 6.

This past winter part of our mainline froze because of the extreme cold weather and we replaced 2757 feet of it with new PVC pipe and also relocated it to help protect it from freezing. This also necessitated the installation of replacement hook-ups for 28 of our water users. Total cost for the Coop for this repair was \$23,332.25.

We are also now and have been for 2 years involved in testing our water on a regular basis and reporting on these tests to the State Health Department.

We believe that we are doing everything possible to keep our water system in good working order and we believe the area will continue to grow. And we therefor ask for the extension of this permit for a period of 5 years.

Sincerely yours,

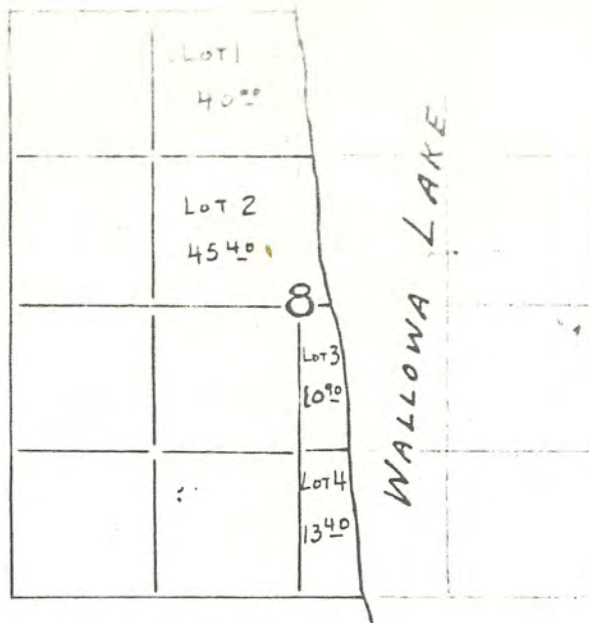
Lakeshore Water and Development Coop

  
Wm. O. Reid, Sec.



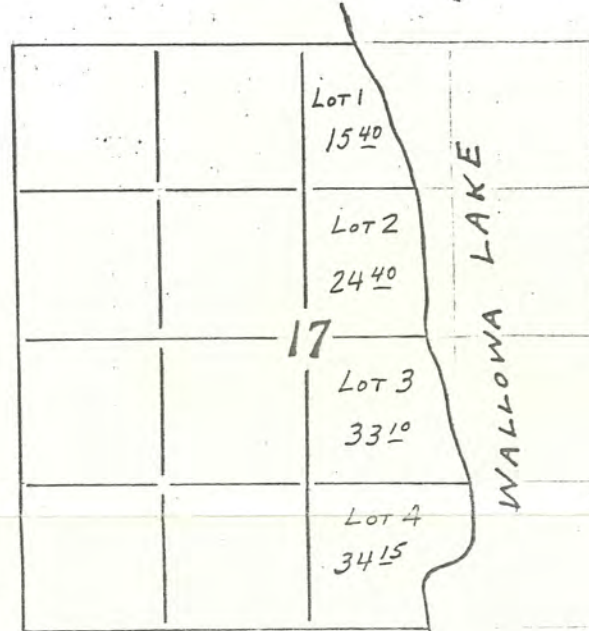
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45E



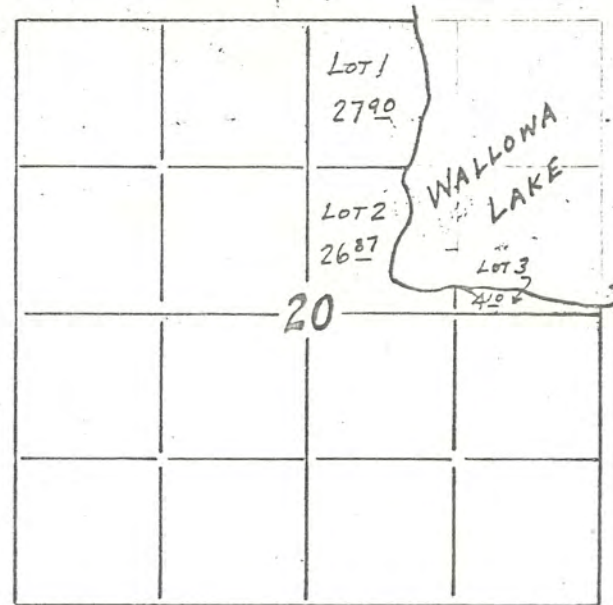
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45E



35

45E



RECEIVED

SEP 21982

WATER RESOURCES DEPT.  
SALEM, OREGON

QUARTER SECTIONS  
APPLICATION

No. 47536

4 EARLY FOR REQUEST  
NOT FOR MISUMMER & ASK FOR UPDATE.  
JES

# EXTENSION CHECKLIST

FILE DOCUMENT - FOR OFFICE USE ONLY

APPLICATION NO: 47536 PERMIT NO: 46961

DATE: 1-27-94

1. What service area or base was anticipated by the applicant at the time the permit was granted?
2. What water right development steps has the permittee completed to date?
3. Is the permittee currently meeting all conditions of the permit?
4. What is the current use of water under the permit?
5. What percent of the total allowable use under the permit does the current use represent?
6. Have there been any unforeseen events (over which the permittee has no control) which could reasonably have delayed development under the permit?
7. Has there been any change in the market for either water or power since the permit was granted which could have affected the development program under the permit?
8. Has there been any change in demand for water or power since the permit was granted?
9. If the extension request is denied, is the current level of water use under the permit economically feasible?
10. Is there an alternate source of water available at this time?
11. Has use of water under the permit caused an adverse impact on the surface/ground water resource in the area?
12. Have there been claims of injury to other water right holders or water users in the area?

REMARKS:

WALLOWA COUNTY

TROUTHAVEN TRACTS

1" = 200'

Existing 38  
Contemplated 61  
Open 99  
Removed 15

See Map 3S 45

RECEIVED

FEB 16 1999

WATER RESOURCES DEPT.  
SALEM, OREGON

See Map 3S 45

6-5

WALLOWA

LAKE

See Map 3S 45 8B



LAKE SHORE TRACTS  
LAKE SHORE TRACTS NO. 2

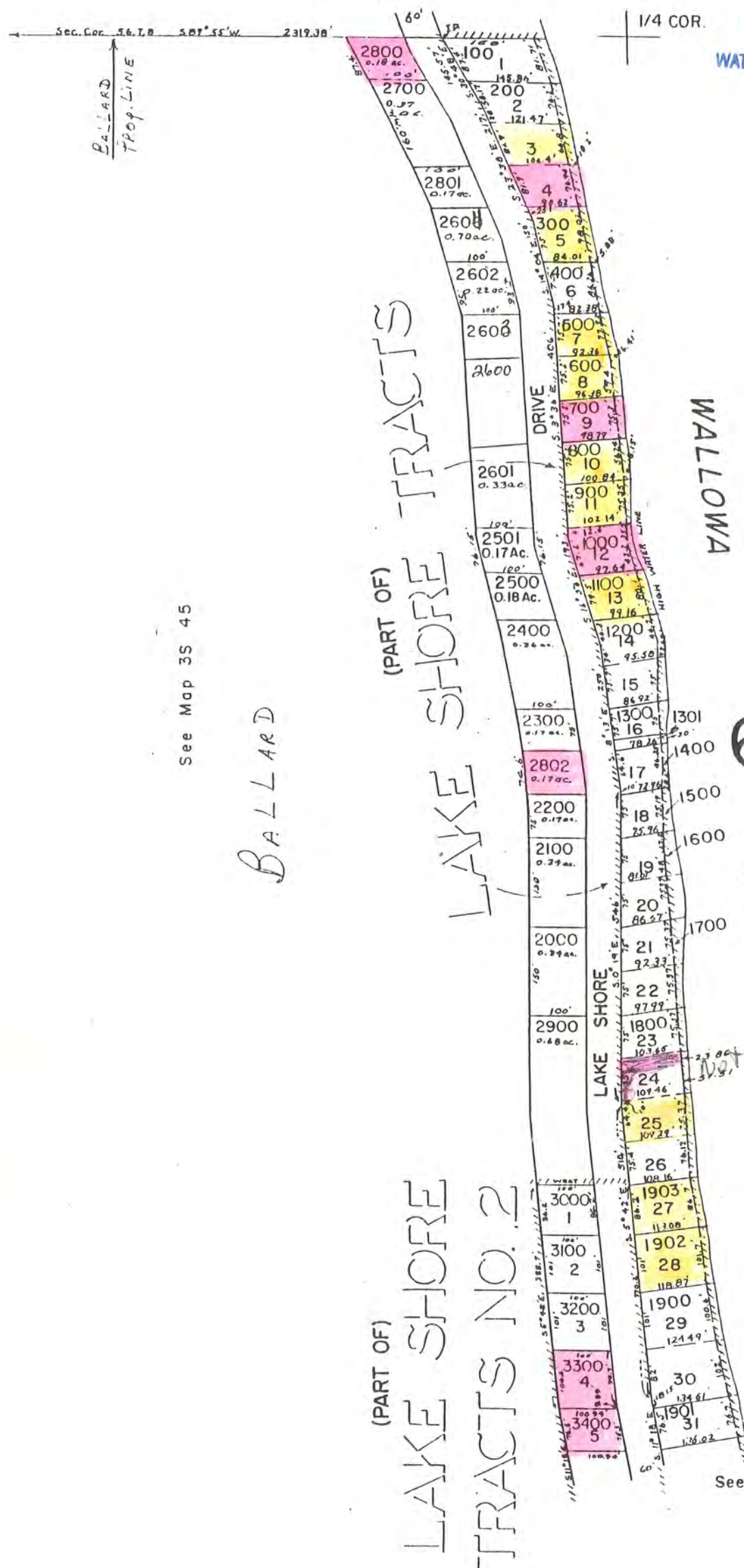
1" = 200'

See Map 3S 45 5 C

RECEIVED

FEB 16 1999

WATER RESOURCES DEPT.  
SALEM, OREGON



See Map 3S 45 8 C

2 of 5





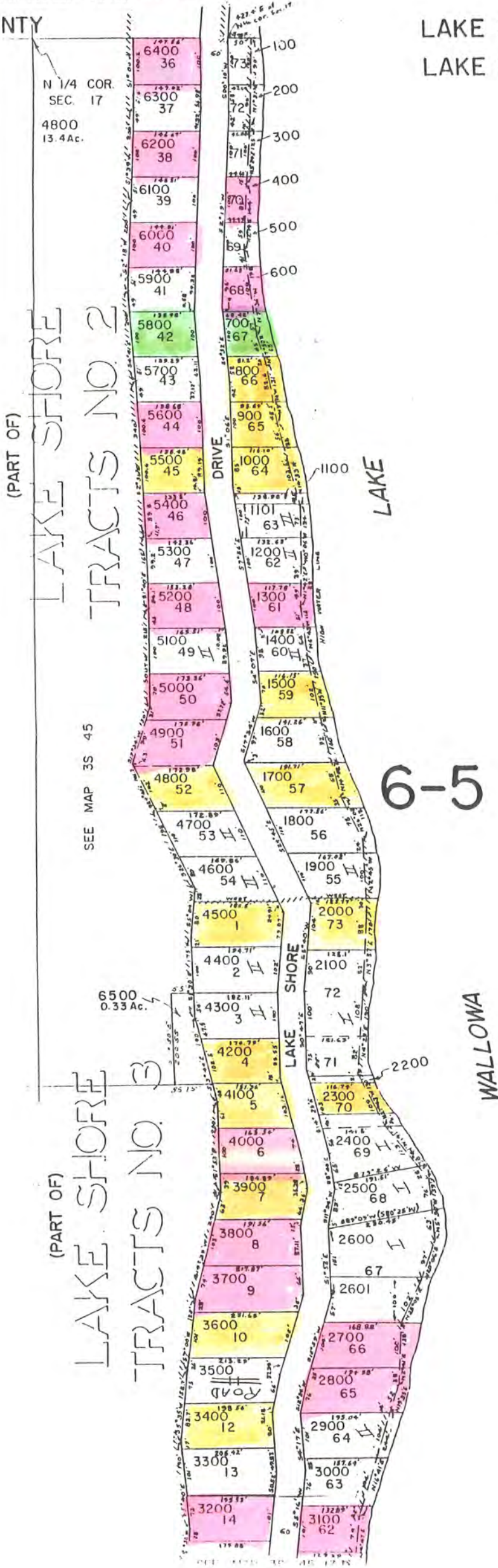
JE1/4 Sec.17 T.3 S. R.45E. WM. SEE MAP 3S 45 8 C

3S 45 17A

WALLOWA COUNTY  
1"=200'

LAKE SHORE TRACTS NO. 2  
LAKE SHORE TRACTS NO. 3

RECEIVED  
FEB 16 1999  
WATER RESOURCES DEPT.  
SALEM, OREGON  
CANCELLED NO.  
TL 2201  
2301  
4900



4 of 5

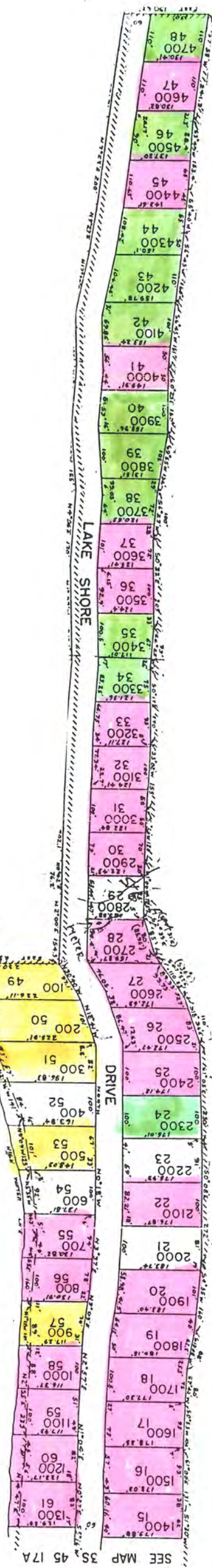
3S 45 17A



E1/4 Sec.17 T.3.S. R.45E. W.M.

WALLOWA COUNTY

1"=200'



4550' 9' 1800' 2' 17 35 45  
OF NW COR. SEC. 17 35 45

RECEIVED  
FEB 16 1999  
WATER RESOURCES DEPT  
SALEM, OREGON

## \*APPLICATION FOR PERMIT

## To Appropriate the Public Waters of the State of Oregon

I, NORMAN THORGERSEN, Secretary of Milton Box Company  
(Name of applicant)  
 of P. O. Drawer 1168 Pendleton, Oregon 97801,  
(Mailing address)  
 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 1917 - Oregon

1. The source of the proposed appropriation is an unnamed stream flowing through  
Sections 17 & 18, Twn 35, R 45 (Name of stream)  
EWM (on West side of Wallowa Wallowa River  
Lake) a tributary of

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

4. The point of diversion is located approximately 360 feet West of applicant's  
existing  
corner of point of diversion on said unnamed stream but in no event closer  
(Section or subdivision)  
than 30 feet to the Westerly boundary line of applicant's property as  
presently situated

(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 Lot 4 (SW SE) of Sec. 17, Tp. 3 South,  
(Give smallest legal subdivision) (N. or S.)  
 R. 45 E, W. M., in the county of Wallowa  
(E. or W.)

5. The pipe line to be Approx. 6,350 feet  
(Main ditch, canal or pipe line) (Miles or feet)  
 in length, terminating in the Lot 3 (NW SE) of Sec. 8, Tp. 3 South,  
(Smallest legal subdivision) (N. or S.)  
 R. 45 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                      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)

(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.

\*\*Application 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 ..... 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.

(c) Length of pipe, 6,350 ft.; size at intake, 6 in.; size at 2000 ft. from intake 3 in.; size at place of use 3/4 in.; difference in elevation between intake and place of use, 150 ft. Is grade uniform? Gradual Slope Estimated capacity, At intake a concrete tank or reservoir 6' x 6' x 5'.  
-sec. ft.-

8. Location of area to be irrigated, or place of use domestic

Township North or South	Range E. or W. of Willamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
3 South	45 EWM	Sec 8	Lot 3 (NW SE)	Domestic
"	"	"	Lot 4 (SW SE)	"
"	"	"	Lot 1 (NW NE)	"
"	"	"	Lot 2 (SW NE)	"
"	"	"	Lot 3 (NW SE)	"
"	"	"	Lot 4 (SW SE)	"

Note: The water is to be used on lots within Lake Shore Tracts, Lake Shore Tracts II and Lake Shore Tracts III as well as lots to be platted on two additional subdivisions planned for the area just West of those existing subdivisions. Existing and planned subdivisions are within the area described above.

(If more space required, attach separate sheet)

(a) Character of soil gravel loam

(b) Kind of crops raised none

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 Summer home project  
Wallowa County, having a present population of 70 homes  
(Name of)  
and an estimated population of 150 homes in 1975.

(b) If for domestic use state number of families to be supplied 70 homes at present  
with about 150 by 1975

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ 10,000.00  
12. Construction work will begin on or before October 15, 1970  
13. Construction work will be completed on or before June 15, 1971  
14. The water will be completely applied to the proposed use on or before upon completion;  
estimated June 1971

MILTON BOX COMPANY

(Signature of applicant)

By: M. E. Thompson Sec.

Remarks: Property involved abutts or is overlooking Wallowa Lake.  
It has been partly developed for recreation home or cabin sites.  
Further development is planned with estimated hookons to go from  
approximately 70 at present to 150 by 1975. The pipeline will run  
Northerly from the point of diversion. Each residence will be serviced  
by a 3/4" hookon.

Prints of Lake Shore Tracts, Lake Shore Tracts II and III are  
enclosed.

STATE OF OREGON,

County of Marion,

ss.

GOMER,

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 correc-  
tions on or before , 19.

WITNESS my hand this day of , 19.

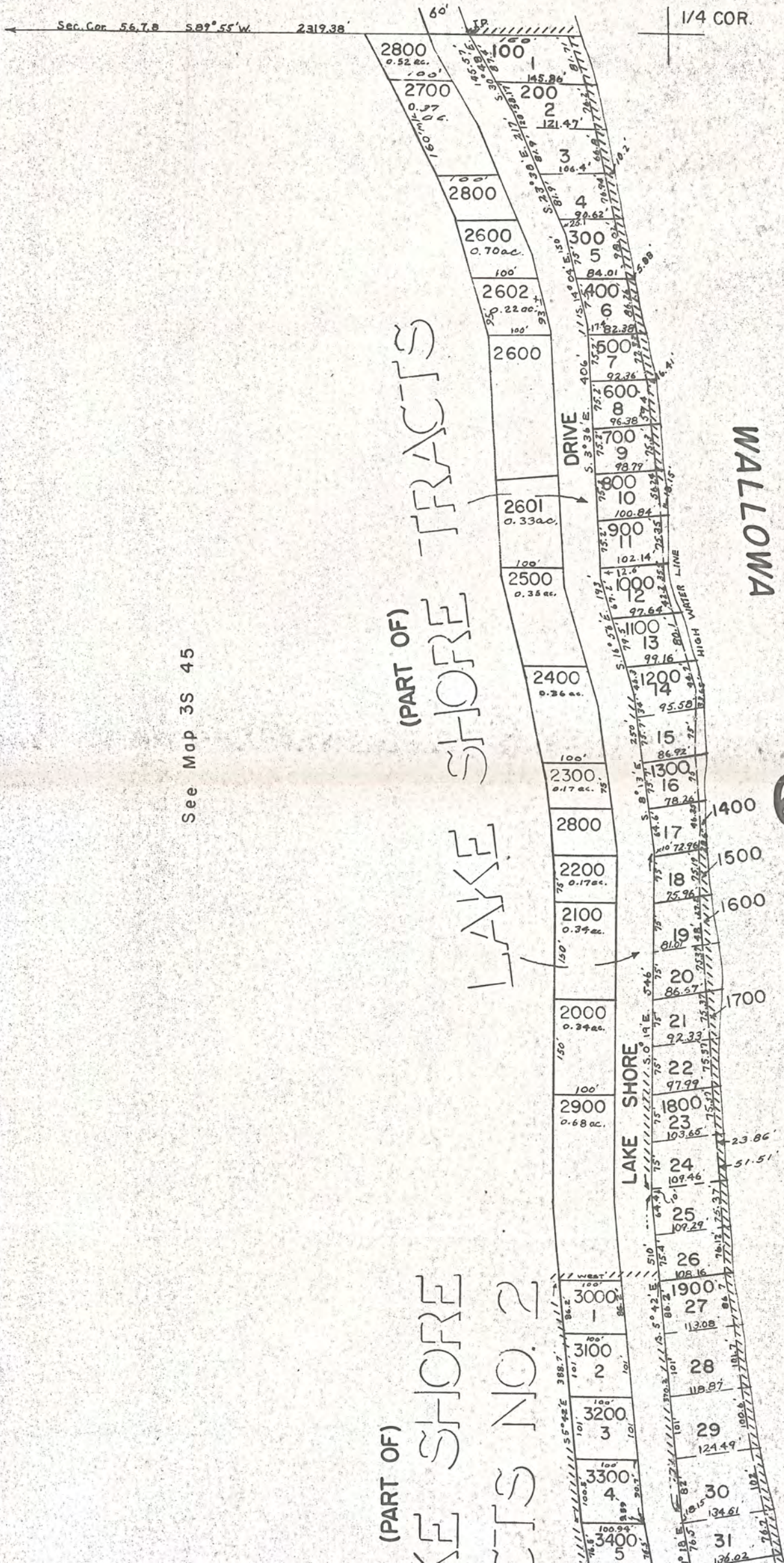
STATE ENGINEER

By

ASSISTANT



See Map 3S 45 5 C

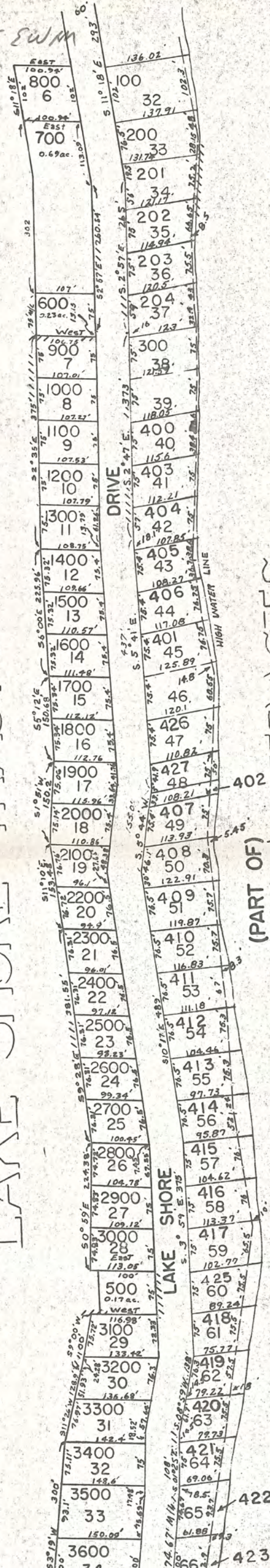




SW 1/4 Sec 8 T35 R45 EWM

SEE MAP 3S 4S

LAKE SHORE TRACTS NO. 2  
(PART OF)



LAKE SHORE TRACTS  
6-5  
(PART OF)

WALLOWA LAKE



NE 1/4 Sec. 17 T. 3 S. R. 45 E. W.M. SEE MAP 3S 45 8 C

WALLOWA COUNTY

1"=200'

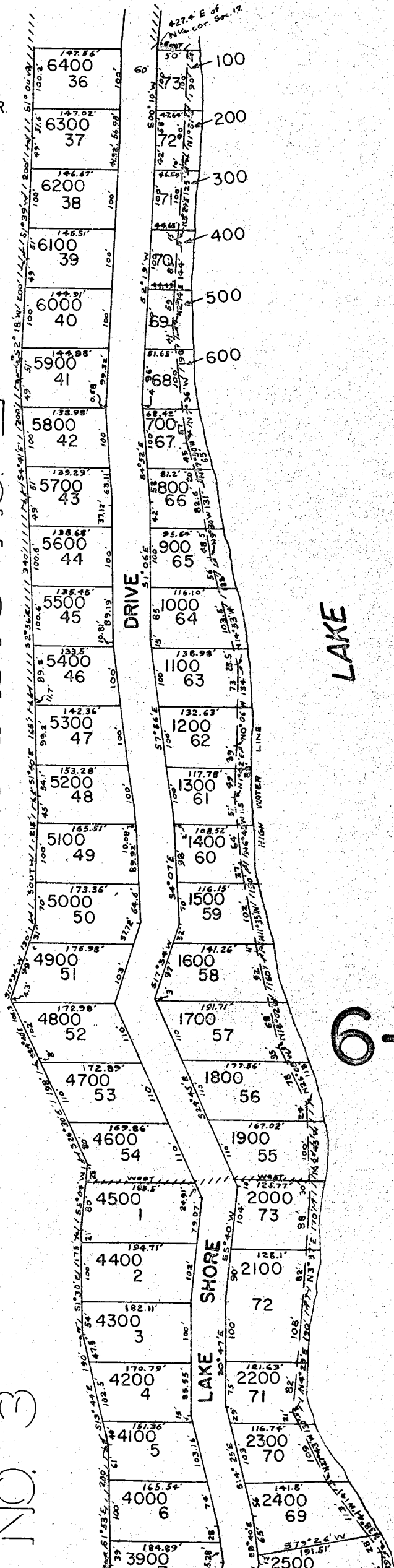
N 1/4 COR.  
SEC. 17

LAKE SHORE  
LAKE SHORE

(PART OF)  
LAKE SHORE  
TRACTS NO. 2

SEE MAP 3S 45

(OF)  
SHORE  
NO. 3



LAKE

6-5

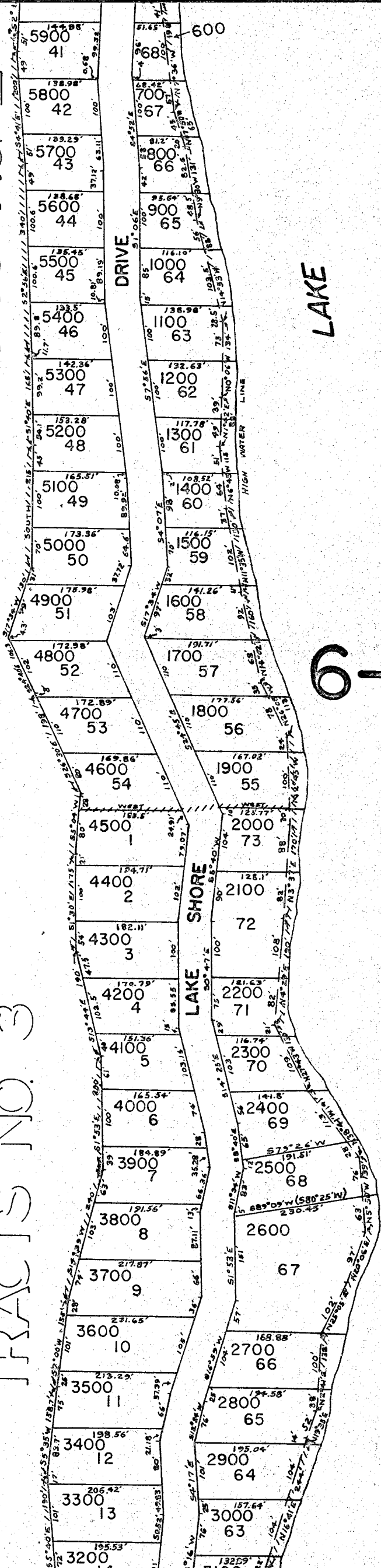
WALLOWA

NE 1/4 (cont.)

(PART OF)  
LAKE SHORE  
TRACTS NO. 2

SEE MAP 3S 45

(PART OF)  
LAKE SHORE  
TRACTS NO. 3



LAKE

6-5

WALLOWA

SE1/4 Sec.17 T.3 S. R.45E. W.M.  
WALLOWA COUNTY

1"=200'

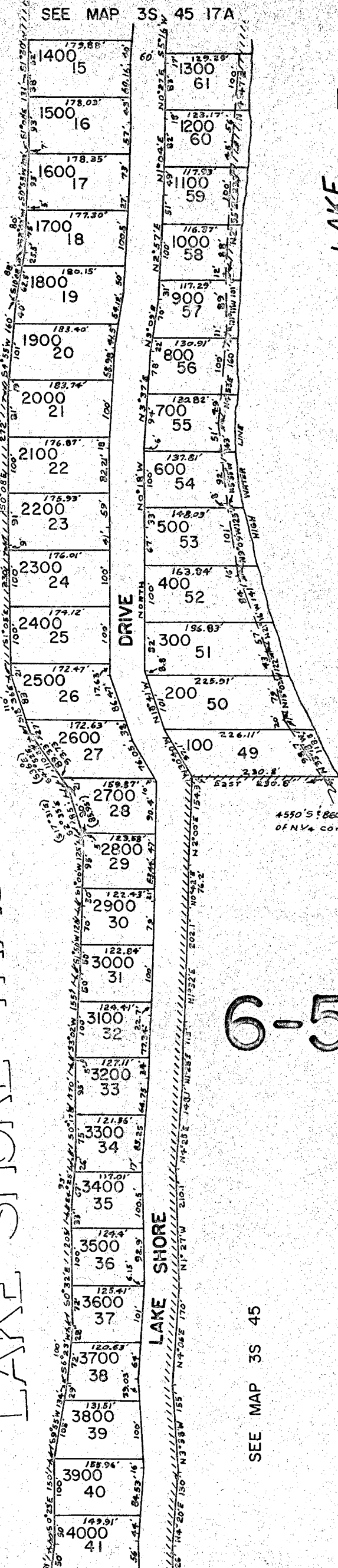
LAKE S

LAKE

WALLOWA

SEE MAP 3S 45

(PART OF)  
LAKE SHORE TRACTS NO 3



4550'S 860'E  
OF N 1/4 cor. Sec. 17 35 45

6-5

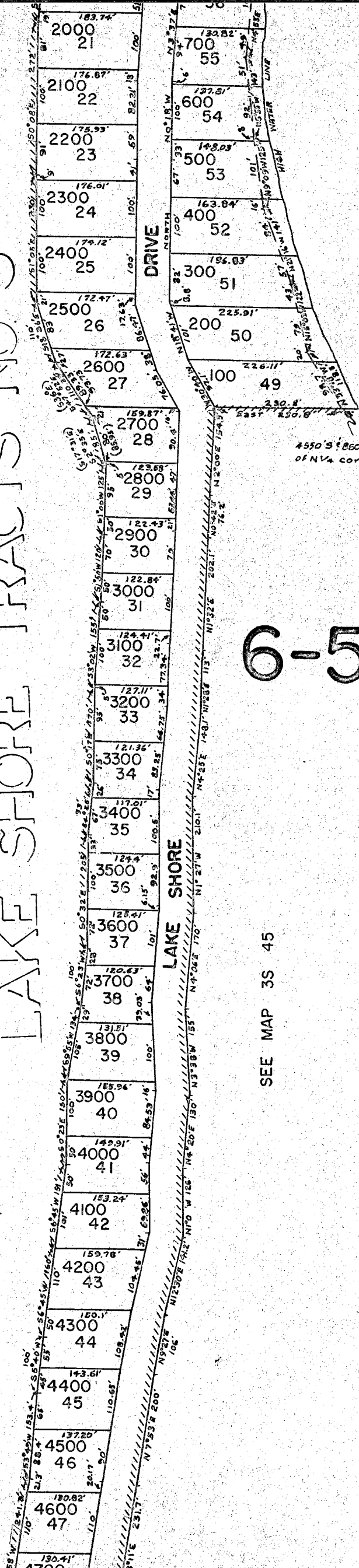
SEE MAP 3S 45



SE 1/4 (cont)

SEE MAP 3S 4S

(PART OF)  
LAKE SHORE TRACTS NO 3



6-5

SEE MAP 3S 4S

WALLOWA

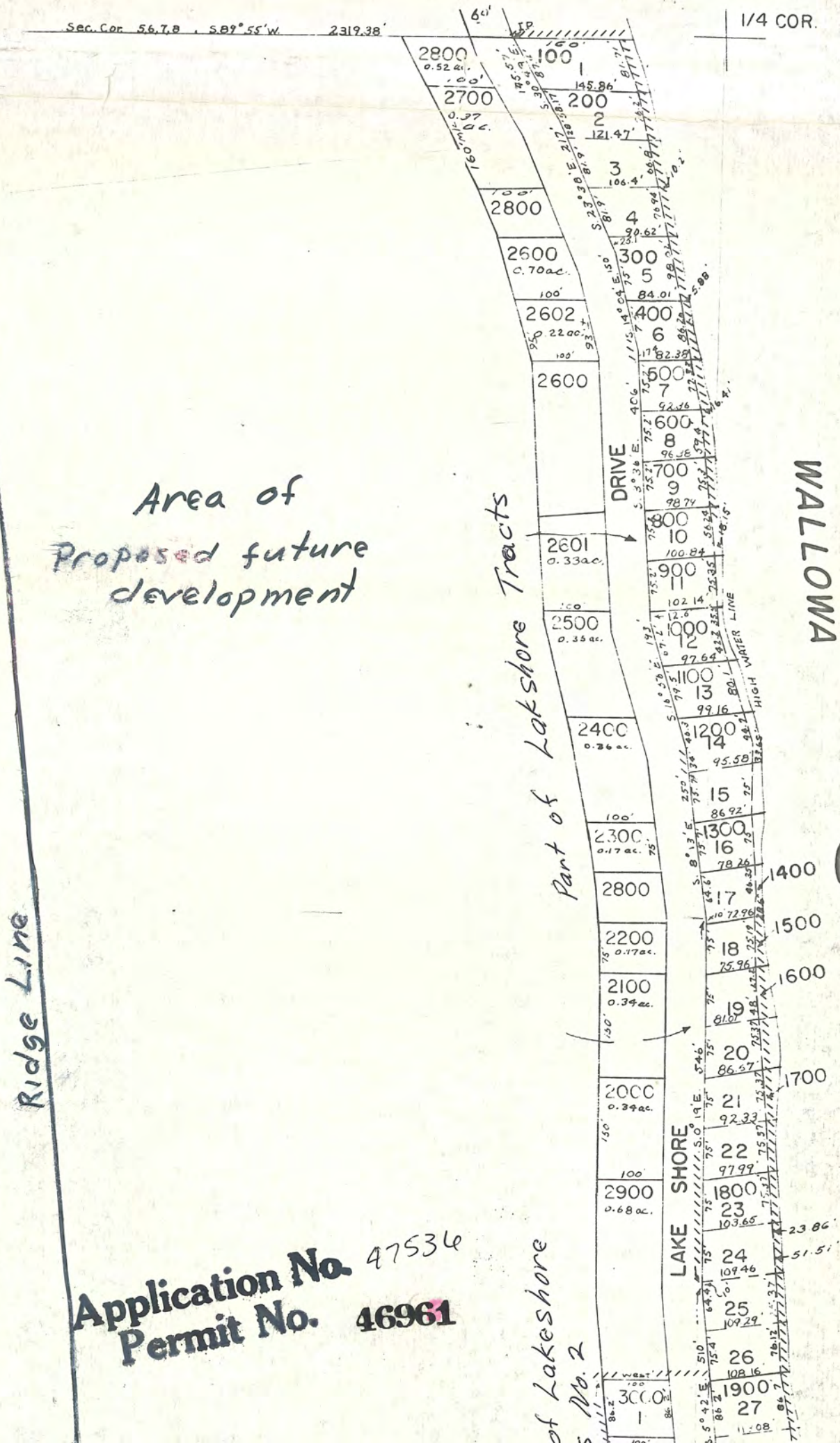
Sheet #1

NW1/4 Sec. 8 T.3S. R.45E. W.  
WALLOWA COUNTY

1" = 200'

**RECEIVED**  
MAY 26 1971  
STATE ENGINEER  
SALEM, OREGON

See Map 3S 45 5 C





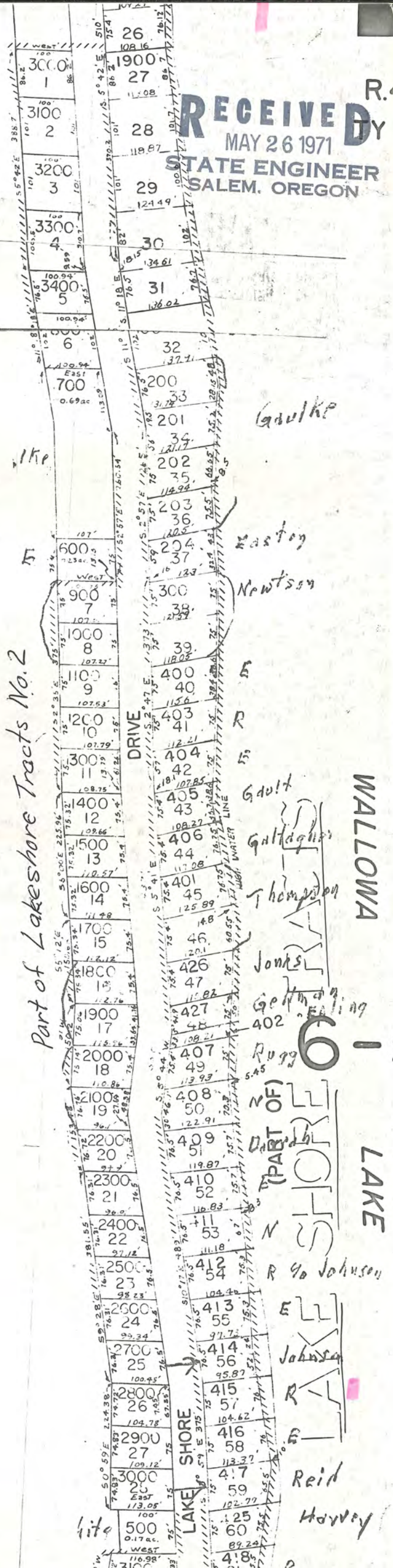
RECEIVED BY  
MAY 26 1971  
STATE ENGINEER  
SALEM, OREGON

Ridge Line

Area of  
Proposed future  
development

Part of Lakeshore Tracts No. 2

Application No. 47536  
Permit No. 46961





Area of  
Proposed Future  
Development

Ridge Line

1"=200'

N 1/4 COR.  
SEC. 17.2

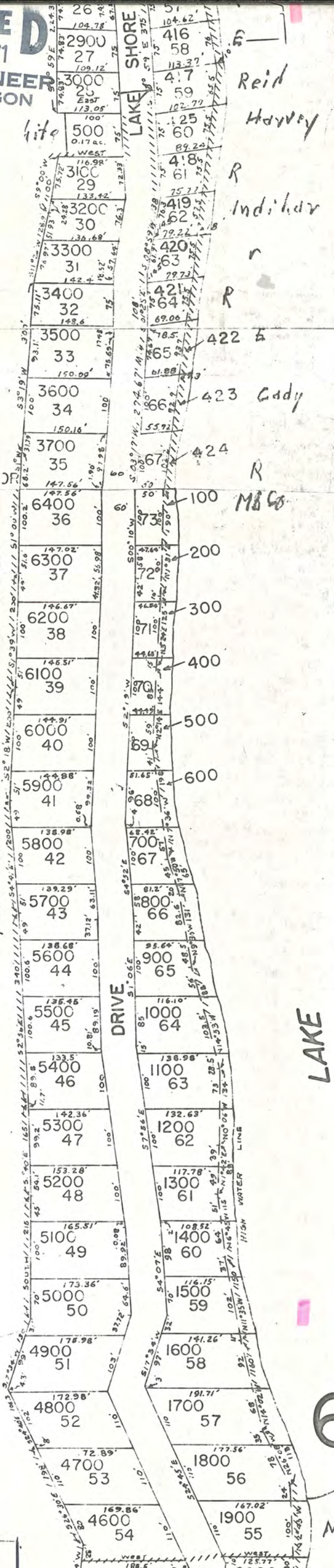
Part of Lakeshore Tracts No. 2

Property Line

DRIVE

LAKE

Application No. 47536  
Permit No. 46961





RECEIVED  
MAY 26 1971  
STATE ENGINEER  
SALEM, OREGON

6-

SE 1/4 Sec. 17 T. 3 S. R. 45 E. W. 1/4  
WALLOWA COUNTY

1"=200'

Application No. 47536  
Permit No. 46961

Property Line  
Area of Future Development

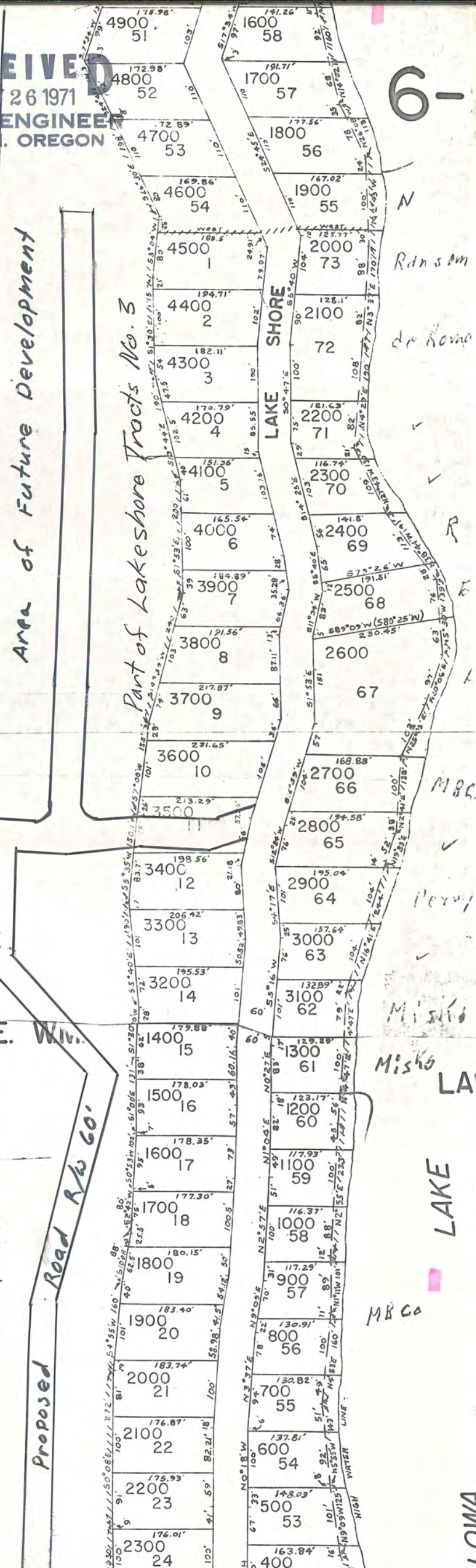
of Future Development

Proposed Road R/W 60'

Part of Lakeshore Tracts No. 3

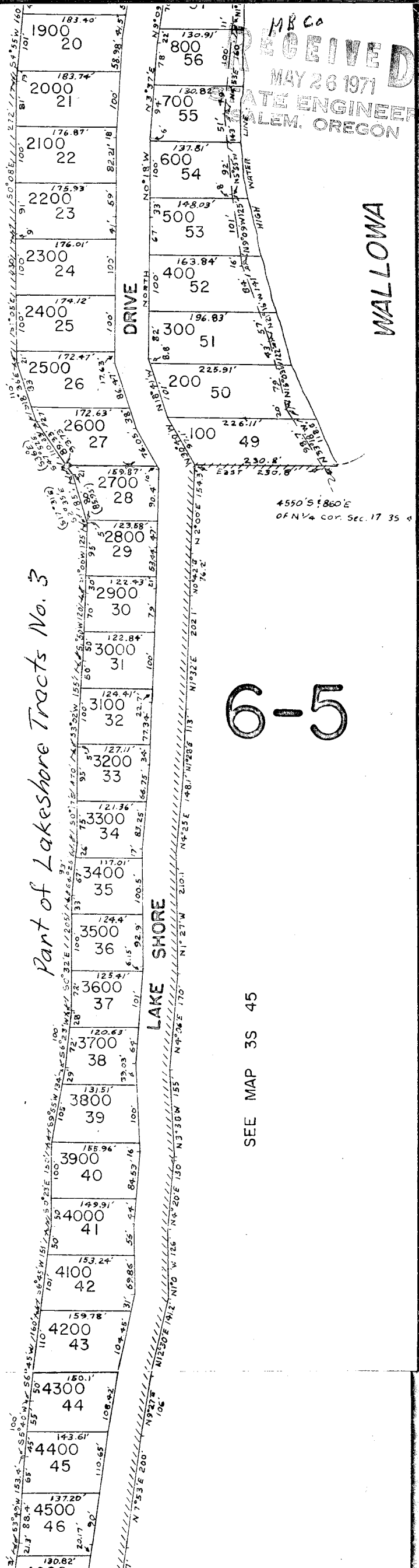
LAKE SHORE

LAKE



Application No. 47536  
Permit No. 46961

Property Line  
Area of Proposed Development  
Propose Road R/W 60'





GEORGE H. COREY  
ALEX M. BYLER  
LAWRENCE B. REW  
STEVEN H. COREY

COREY, BYLER & REW  
ATTORNEYS AT LAW  
222 S. E. DORION AVE.  
P. O. BOX 218  
PENDLETON, OREGON 97801

TELEPHONE  
AREA CODE 503  
276-3331

June 7, 1977

RECEIVED  
JUN - 9 1977  
WATER RESOURCES DEPT  
SALEM, OREGON

State Engineer  
Water Resources Department  
1178 Chemeketa Street N. E.  
Salem, Oregon 97310

Re: File Numbers 47536, 43118 and 28697

Attention: Mr. Trevor Jones  
Assistant

Dear Mr. Jones:

As we discussed I am enclosing copies of plat maps for Lake Shore Tracts II and Lake Shore Tracts III in Wallowa County, Oregon. I have ordered a copy of the plat map for Lake Shore Tracts (I) from the Wallowa County Clerk. I will forward it as soon as it is received.

I understand that you will be able to send the proof of appropriation form in connection with permit number 32218 when the plats are received. In addition, I understand that in order to have application number 47536 apply to the balance of the area to be served you will use the plat maps to reconcile the existing rights with the rights which are to be perfected in the future.

Sincerely yours,

COREY, BYLER & REW

By:

*Alex M. Byler*

AMB:jm  
enclosures  
cc: Milton Box Company

GEORGE H. COREY  
ALEX M. BYLER  
LAWRENCE B. REW  
STEVEN H. COREY

COREY, BYLER & REW  
ATTORNEYS AT LAW  
222 S. E. DORION AVE.  
P. O. BOX 218  
PENDLETON, OREGON 97801

TELEPHONE  
AREA CODE 503  
276-3331

June 14, 1977

State Engineer  
Water Resources Department  
1178 Chemeketa Street N. E.  
Salem, Oregon 97310

Re: File Numbers 47536, 43118 and 28697

Attention: Mr. Trevor Jones, Assistant

Dear Mr. Jones:

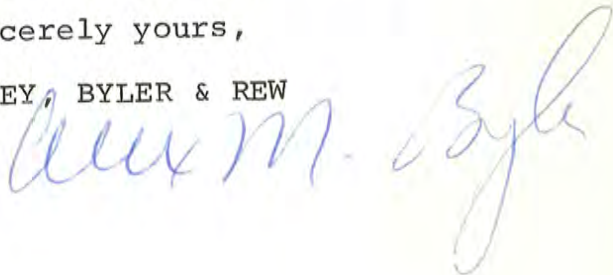
I now have a copy of a plat map for Lake Shore Tracts in Wallowa County, Oregon. Such copy is enclosed.

I am concerned that the plat maps which I forwarded to you with my letter of June 7 may have not been final plat maps. For this reason I have asked the Wallowa County Clerk to furnish copies of the plats as recorded for those two tracts. As soon as I receive them I will forward them to you.

Sincerely yours,

COREY, BYLER & REW

By:



AMB:jm

enclosure

cc: Milton Box Company

RECEIVED

JUL 21 1977

WATER RESOURCES DEPT  
SALEM, OREGON

..... scribed lands and premises situated in..... Wallowa..... County, State of..... Oregon....., to-wit:  
Beginning at the Northwest corner of the Northeast Quarter of Section 17, Township 3, So  
Range 45 east of Willamette Meridian and thence easterly along the north line of the Nor  
east Quarter of Section 17 to the northwest corner of Lot 36, Lakeshore tracts No. 2, an  
thence south along the westerly boundary of Lakeshore Tracts No. 2 and Lakeshore tracts  
No. 3 to the southwest corner of Lot 48, Lakeshore tracts No. 3, thence westerly to the  
southwest corner of the Northwest Quarter of the Northeast Quarter of Section 20; thence  
north along the center line from Sections 20 and 17 to a point of beginning, all in Sect  
17 and 20, Township 3, South, Range 45 EWM.



FURNITURE - LUMBER - BOXES

CUTSTOCK - REDWOOD PRODUCTS

**Harris**  
**Pine**  
**Mills**  
(a corporation)

*the Harris Line*

Oregon  
California  
Colorado  
Illinois  
Wisconsin  
Indiana  
Pennsylvania  
New Jersey  
Georgia  
Texas  
Massachusetts  
Washington  
Minnesota

MAIN OFFICE DRAWER 1168. PENDLETON OREGON 97801 PHONE 276 1421

May 24, 1971

**RECEIVED**  
MAY 26 1971  
STATE ENGINEER  
SALEM, OREGON

Mr. Larry W. Jebousek  
Water Resources Department  
State of Oregon  
1178 Chemeketa Street N.E.  
Salem, Oregon 97310

Dear Mr. Jebousek:

There seems to be confusion regarding the fact that application No. 47536 and certificate No. 34929 cover two separate points of diversion and two separate weirs. I will try to answer your letter of May 12, 1971 paragraph by paragraph.

Paragraph #2: Please note additional wording has been added to item No. 4 of application No. 47536.

Paragraph #3: There are services to one cabin and one lodge off the subdivision. These are in Section 5 and have nothing to do with application No. 47536. They are important to our reckoning of users connected with certificate No. 34929. Also in connection with paragraph #3 note enclosed maps showing future planned developments.

Paragraph #4: We are sorry for the confusion on our part regarding present users; 30 services are correct, 28 are on the subdivision and 2 are off. The 2 off the subdivision were not included in our figure of 27, and we were off 1 besides due to the fact that some users use trailer houses and this confused our count. We believe 30 total is correct. Under application No. 47536 the reference to 150 additional families by 1975 is our best projection. This is in addition to the 150 referred to in Permit No. 32218.

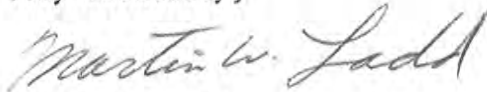
It is rather confusing to talk about two separate points of diversion and two separate water lines that serve three existing subdivisions, and two

Application No. 47536  
Permit No.

Mr. Larry W. Jebousek  
May 24, 1971  
Page 2.

planned ones all in the same immediate vicinity. Actually, they are all very closely related and both weirs are on the same water course. We hope this clears up some of your questions.

Very cordially,

A handwritten signature in cursive script that reads "Martin W. Ladd". The signature is written in dark ink and is positioned above the typed name.

Martin W. Ladd  
Forester

MWL:li  
Enc.



May 13, 1975

47536  
43118  
28697

Mr. Alex M. Byler  
Corey, Byler & Rew  
P. O. Box 218  
Pendleton, Oregon 97801

Dear Mr. Byler:

I have gone over the files of Milton Box Company involving use of water for subdivisions at Wallowa Lake. I cannot reconcile the number of houses to be served with existing rights, maps on file and an area which was still to be subdivided when application No. 47536 was filed.

Apparently at that time use for 150 families contemplated under permit No. 32218 was deducted. Our final proof inspection of June, 1972, shows use for only 20 houses over that under the first right confirmed by certificate No. 31929. This certificate covers use on 20 lots of the subdivisions and 9 cabins and lodge north of the subdivision.

All we have for maps are copies of assessor plats for an earlier filing and prints of portions of the plats for application No. 47536. If the new area has now been subdivided the easiest way to complete application No. 47536 is to submit three prints of each sheet of each subdivision and change the application to show the total number of lots less forty under the first two permits. Our records show which lots are served under the earlier permits. If you will give us written authorization to amend the application accordingly we can complete it.

The maps I request are prints of the subdivision plats as submitted to the county and not prints of portions of county assessor maps.

We will send the proof of appropriation form in connection with permit No. 32218 when the plats are received.

Very truly yours,

Trevor Jones  
Assistant

TJ:whh



47536  
43118  
28697

May 12, 1971

Milton Box Company  
Norman Thorgersen, Sec.  
P.O. Brawer 1168  
Pendleton, Oregon 97801

Dear Mr. Thorgersen:

This will acknowledge the return of your application No. 47536 and the maps.

Item No. 4 on the application should be further completed to designate the location of the point of diversion as being within Lot 4 (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ), Sec. 17, T. 3 S., R. 45 E., W.M.

Item No. 8 on the application describes the domestic use to be made in Sec. 8 and 17, T. 3 S., R. 45 E., W.M. Certificate 34929 includes use in Sec. 5. The remarks entered into Sec. 8 indicates that two additional subdivisions are to be platted west of the existing subdivisions and are to be included within the area above described. Maps showing the additional area will be required.

The maps submitted show a total of 27 users. Certificate 34929 was issued describing the domestic use of 29 families and one lodge. Permit No. 32218 was issued for the domestic use of an additional 150 families. The remarks section of application No. 47536 indicates that a total of 70 families are using at the present time. Therefore, proof can be made under permit No. 32218 for the 41 additional users. Item No. 10-B must designate the number of families to be served under the new application excluding those already included in the earlier application.

I am returning your application and prints for completion, endorsed so that in order to retain its priority date, it must be returned to this office on or before July 12, 1971.

If you have any questions regarding this matter, please feel free to contact me.

Very truly yours,

LARRY W. JEBOUSEK  
Assistant

LWJ:klh  
Enclosures



GEORGE H. COREY  
ALEX M. BYLER  
LAWRENCE B. REW

COREY, BYLER & REW  
ATTORNEYS AT LAW  
222 S. E. DORION AVE.  
P. O. BOX 218  
PENDLETON, OREGON 97801

TELEPHONE  
AREA CODE 503  
276-3331

February 23, 1971

**RECEIVED**  
FEB 25 1971  
**STATE ENGINEER**  
**SALEM, OREGON**

State Engineer  
Water Resources Department  
516 Public Service Building  
Salem, Oregon 97310

Re: File Nos. 47536  
43118  
28697

Attn: Mr. Larry W. Jebousek,  
Assistant

Dear Mr. Jebousek:

Responding to your letter of January 21, 1971 we enclose the original application for permit to appropriate waters of Milton Box Company. Please note that paragraph 4 has been changed. The point of diversion was located for our client by G.M. Newbill, the surveyor who did the original work on the plats.

Please also note that the specific places of use are now identified. Each place of use has been colored in purple and the number of cabins or houses making use within the designated area has been written beside the colored portion.

We believe that as to item No. 4 we have complied with your requests of October 6, 1970 - where you asked that the proposed point of diversion be tied into one of the lot corners - and January 21, 1971 where you asked that it be tied to a government survey corner.

Should you need further information concerning this application please let us know.

Sincerely yours,

COREY, BYLER & REW

By:

*Alex M. Byler*

AMB:wr  
Enclosure  
cc: Milton Box Company



47536  
43118  
28697

January 21, 1971

Corey, Byler & Rew  
Attorneys at Law  
222 S.E. Dorion Ave.  
P. O. Box 218  
Pendleton, Oregon 97801

ATTENTION Alex M. Byler

Dear Mr. Byler:

This will acknowledge the return of application No. 47536 and the maps.

Item No. 4 on the application must describe the location of the point of diversion in reference to a government survey corner. The map shows this to be 479.79 feet North 74 degrees 45 minutes West from the Southwest corner of Lot 30 in Lake Shore Tracts No. 3.

The section and forty lines must be shown on each of the subdivision plats. The boundaries of the two new subdivisions must also be shown on the plats. Copies of the two additional subdivisions should be submitted when they have been recorded.

The location of the specific places of use must be shown on the plats. This can be done by your designating those plots now being served water or the lots to be served under the new application.

I am returning the application and all of the prints for completion and correction. The application is endorsed so that in order to retain its priority date, it must be returned to this office on or before March 22, 1971.

Very truly yours,

Larry W. Jebousek  
Assistant

LWJ:reo  
Enclosures  
cc Milton Box Company



GEORGE H. COREY  
ALEX M. BYLER  
LAWRENCE B. REW

COREY, BYLER & REW  
ATTORNEYS AT LAW  
222 S. E. DORION AVE.  
P. O. BOX 218  
PENDLETON, OREGON 97801

TELEPHONE  
AREA CODE 503  
276-3331

December 18, 1970

**RECEIVED**  
DEC 21 1970  
**STATE ENGINEER**  
SALEM, OREGON

State Engineer  
Water Resources Department  
516 Public Service Building  
Salem, Oregon 97310

Re: File No/s. 47536  
43118  
28697

Attn: Mr. Larry W. Jebousek,  
Assistant

Dear Mr. Jebousek:

Our client advises that 32 Lots are now being furnished with water. There have been 39 additional Lots sold but no water is presently being furnished them.

Should you need further information concerning application No. 47536 please let us know.

Sincerely yours,

COREY, BYLER & REW

By:

*Alex M. Byler*

AMB:wr

cc: Milton Box Company

GEORGE H. COREY  
ALEX M. BYLER  
LAWRENCE B. REW

COREY, BYLER & REW  
ATTORNEYS AT LAW  
222 S. E. DORION AVE.  
P. O. BOX 218  
PENDLETON, OREGON 97801

TELEPHONE  
AREA CODE 503  
276-3331

December 4, 1970

**RECEIVED**  
DEC 7 1970  
**STATE ENGINEER**  
**SALEM, OREGON**

State Engineer  
Water Resources Department  
516 Public Service Building  
Salem, Oregon 97310

Re: File No./s 47536  
43118  
28697

Attn: Mr. Larry W. Jebousek,  
Assistant

Dear Mr. Jebousek:

We are returning the original application No. 47536 herewith. We have changed item No. 4 to conform to Exhibit "A" attached to the application. As you will see Exhibit A shows the exact location of the point of diversion.

You are correct in presuming that proof will be made under Permit No. 32218 for an additional 41 families and that application No. 47536 is submitted for an additional 80 families.

Please note that we have changed Item 8 to reflect the correct Section number.

The application is not for use of water in an area other than shown on the plat submitted.

We will obtain information concerning the Lots now being served with domestic water and furnish that to you shortly.

Please let us know if there is any additional information that you need.

Sincerely yours,

COREY, BYLER & REW

By:

*Alex M. Byler*

Enclosures

cc: AMB:wr  
Milton Box Company



47536  
43118  
28697

October 20, 1970

Corey, Byler & Rew  
Attorneys at Law  
222 S. E. Dorion Ave.  
P. O. Box 218  
Pendleton, Oregon 97801

ATTENTION Alex M. Byler

Dear Mr. Byler:

This will acknowledge your letter of October 13, 1970,  
and the additional \$7.00 recording fee for application No. 47536  
in the name of Norman Thorgersen, Secretary of Milton Box Co. for  
which our receipt No. 21231 is enclosed.

Further action will be withheld on application No. 47536  
pending its return accompanied by the additional supporting data  
required.

Very truly yours,

Larry W. Jebousek  
Assistant

LWJ:reo  
Enclosure



GEORGE H. COREY  
ALEX M. BYLER  
LAWRENCE B. REW

COREY, BYLER & REW  
ATTORNEYS AT LAW  
222 S. E. DORION AVE.  
P. O. BOX 218  
PENDLETON, OREGON 97801

TELEPHONE  
AREA CODE 503  
276-3331

October 13, 1970

**RECEIVED**  
OCT 14 1970  
STATE ENGINEER  
SALEM, OREGON

State Engineer  
Water Resources Department  
516 Public Service Building  
Salem, Oregon 97310

Re: File Nos. 47536, 43118, 28697

Attn: Mr. Larry W. Jebousek,  
Assistant

Dear Mr. Jebousek:

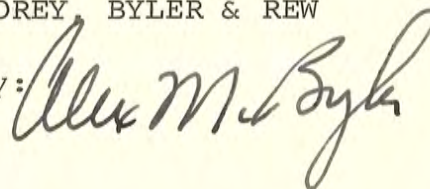
Thank you for your letter of October 6.  
We are taking steps to correct and complete the  
application.

Our check payable to the State Engineer  
for \$7.00 is enclosed to cover the additional re-  
cording fee mentioned in your October 6 letter.

Sincerely yours,

COREY, BYLER & REW

By:



AMB:wr  
Enc:

47536  
43118  
28697

October 6, 1970

Corey, Byler & Rew  
Attorneys at Law  
222 S. E. Dorion Ave.  
P. O. Box 218  
Pendleton, Oregon 97801

ATTENTION Alex M. Byler

Dear Mr. Byler:

This will acknowledge your application for a permit to appropriate 2.0 cubic feet of water per second from an unnamed stream for 150 home domestic use, prints of Lake Shore Tracts No. 1, 2 and 3 and the fee of \$20.00 for which our receipt No. 20845 is enclosed.

Your application, which has been filed and numbered 47536, requires an additional \$7.00 recording fee.

Item No. 4 on the application indicates the point of diversion will be approximately 360 feet west from the existing point of diversion. The map must show the location of the proposed point of diversion in reference to one of the lot corners. Item No. 4 on the application should then be amended to agree with the map.

Certificate 31929 was issued describing the right perfected under your permit No. 23263 for 29 family domestic use and use in a lodge. Permit No. 32218 was issued on August 4, 1967, for 150 family domestic use. In the remarks section of application No. 47536 you indicate that approximately 70 families are now using the system with an anticipated use of 150 families by 1975. I would presume from this that proof is to be made under permit No. 32218 for the additional 41 families and that application No. 47536 is submitted for the additional 80 families. If this is not correct, would you please describe the present and proposed project in some detail.



October 6, 1970

Item No. 8 on the application describes the domestic use only in Section 8, Township 3 South, Range 45 East. Certificate 34929 describes the domestic use of water in Sections 5, 8 and 17. Item No. 8 indicates that water will be used in Lake Shore Tracts, Lake Shore Tracts No. 2 and No. 3 as well as two additional subdivisions.

The application must be completed to describe the location and extent of your project and be supported by maps showing the project. If this application is for use of water in an area other than that shown on the plats submitted, a map will be required showing the location of this place of use. The plats submitted and any new map that might be required must show the houses to be served domestic water. If it would be easier to designate the lots now being served domestic water, you may do so.

I am returning your application and prints for correction and completion. The application is endorsed so that in order to retain its priority date, it must be returned to this office on or before December 7, 1970.

Very truly yours,

Larry W. Jebousek  
Assistant

LMJ:reo

Enclosures

cc Norman Thorgersen, Sec.  
Milton Box Company  
P. O. Drawer 1168  
Pendleton, Oregon 97801



GEORGE H. COREY  
ALEX M. BYLER  
LAWRENCE B. REW

COREY, BYLER & REW  
ATTORNEYS AT LAW  
222 S. E. DORION AVE.  
P. O. BOX 218  
PENDLETON, OREGON 97801

TELEPHONE  
AREA CODE 503  
276-3331

September 15, 1970

State Engineer  
State of Oregon  
516 Public Service Building  
Salem, Oregon 97310

Application No. 47536  
Permit No.  
**RECEIVED**  
SEP 17 1970  
STATE ENGINEER  
SALEM, OREGON

Dear Sir:

Find in duplicate for filing application of  
Milton Box Company to appropriate waters in Wallowa  
County, Oregon. Our check for \$20.00 to cover filing  
and examination fees is enclosed.

Sincerely yours,

COREY, BYLER & REW

By:

*Alex M. Byler*

AMB:wr

Enc:

C29

Application No. **47536**  
Permit No. **46961**

Name **Norman Thorgersen, Sec. of Milton Box Co.**  
Address **P. O. Drawer 1768, Pendleton, Oregon 97801**

Assigned **Lake Shore Water Developmental Coop c/o William**  
Address **206 Depot #4, Enterprise, OR 97828 O. Reid**

Beginning construction **OCT 7 1983**  
Completion of construction **OCT 1 1984**  
Extended to **10-1-87, 10-1-94**  
Complete application of water **OCT 1 1985**  
Extended to **10-1-89, 10-1-94**

Form 111

FOR **349**  
DATE **WED 9-24** TIME **11550** P.M.  
FROM **DAVE ALBION**  
FIRM **INDUST. 251**  
PHONE **541-926-8641**  
☐ FAX AREA CODE NUMBER EXTENSION  
☐ MOBILE **A# 47536 P 46961** AREA CODE NUMBER TIME TO CALL

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
RETURNED YOUR CALL		WILL CALL AGAIN	
CAME TO SEE YOU		RUSH	
WANTS TO SEE YOU		SPECIAL ATTENTION	
WAITING TO SEE YOU		HOLDING LINE	

MESSAGE **BUYING PROP. W.R. PENDLETON - TONY TO GEOFF. 5 LOTS QUES. - WALLOWA LAKE**

SIGNED \_\_\_\_\_ FORM 4007 MADE IN U.S.A.

### MESSAGE

### WHILE YOU WERE OUT

FOR **W.R. g** DATE \_\_\_\_\_ TIME \_\_\_\_\_ A.M. P.M.  
M **Dave Albion** **XXX**  
OF \_\_\_\_\_  
PHONE ☐ FAX ☐ MOBILE **541-926-8641** AREA CODE NUMBER EXTENSION  
MESSAGE **call monday after 8:30 P-**

PHONED	
RETURNED YOUR CALL	
PLEASE CALL	
WILL CALL AGAIN	
CAME TO SEE YOU	
WANTS TO SEE YOU	

SIGNED \_\_\_\_\_ FORM 4008

### WHILE YOU WERE OUT

FOR **Herb** DATE **9-30** TIME \_\_\_\_\_ A.M. P.M.  
M **Dave Albion**  
OF \_\_\_\_\_  
PHONE ☐ FAX ☐ MOBILE **541 926-8641** AREA CODE NUMBER EXTENSION  
MESSAGE \_\_\_\_\_

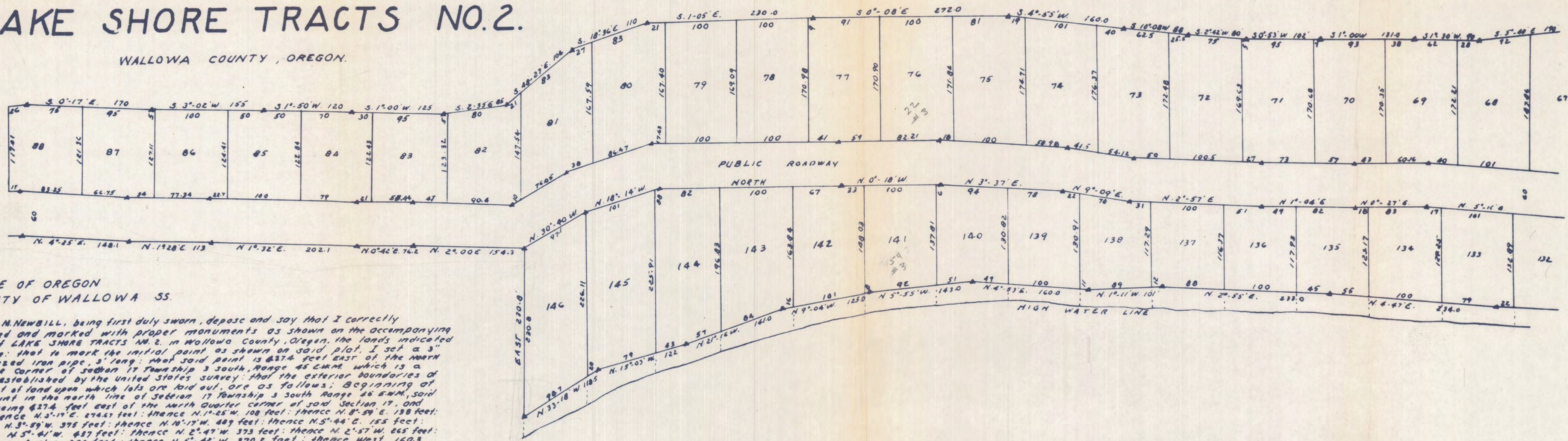
PHONED	
RETURNED YOUR CALL	
PLEASE CALL	
WILL CALL AGAIN	
CAME TO SEE YOU	
WANTS TO SEE YOU	

SIGNED \_\_\_\_\_ FORM 4008



LAKE SHORE TRACTS NO.2.

WALLOWA COUNTY, OREGON.



STATE OF OREGON  
COUNTY OF WALLOWA SS.

I, G.M. NewBILL, being first duly sworn, depose and say that I correctly surveyed and marked with proper monuments as shown on the accompanying plat of LAKE SHORE TRACTS No. 2, in Wallowa County, Oregon, lands hereof thereon: that to mark the initial point, thence S. 52° 10' E. 1/4 of a 3" galvanized iron pipe, 1" long, set in the ground 337.4 feet east of the north quarter corner of Section 17 Township 3 south, Range 42 east, which is a point established by the United States survey; that the exterior boundaries of the tract of land upon which lots are laid out, are as follows: Beginning of a point in the north line of Section 17 Township 3 south Range 42 east, said point being 327.4 feet east of the north quarter corner of said Section 17 and running thence N. 3° 15' E. 674.1 feet; thence N. 11° 10' W. 489 feet; thence N. 5° 44' E. 155 feet; thence N. 3° 39' W. 375 feet; thence N. 11° 10' W. 283 feet; thence N. 11° 10' W. 203 feet; thence N. 5° 42' W. 370.2 feet; thence West 160.3 feet; thence S. 5° 42' E. 380.7 feet; thence S. 11° 10' E. 178.5 feet; thence East 100.99 feet; thence S. 11° 10' E. 113.09 feet; thence S. 2° 57' E. 260.54 feet; thence S. 5° 42' E. 10.15 feet; thence West 106.75 feet; thence S. 2° 55' E. 87.5 feet; thence S. 5° 42' E. 165 feet; thence S. 3° 12' E. 150.58 feet; thence S. 5° 42' W. 140 feet; thence S. 11° 10' E. 153.68 feet; thence S. 9° 28' E. 381.85 feet; thence S. 3° 05' E. 224.30 feet; thence East 113.08 feet; thence S. 3° 05' E. 75 feet; thence West 116.94 feet; thence S. 5° 42' W. 100 feet; thence S. 11° 35' W. 128.9 feet; thence S. 3° 11' W. 300 feet; thence S. 11° 00' W. 220 feet; thence S. 11° 35' W. 200 feet; thence S. 2° 18' W. 200 feet; thence S. 4° 41' E. 200 feet; thence S. 2° 55' E. 340 feet; thence S. 1° 40' E. 165 feet; thence South 215 feet; thence S. 17° 34' W. 130 feet; thence S. 2° 40' E. 106.3 feet; thence S. 2° 30' E. 190 feet; thence S. 5° 04' W. 140 feet; thence S. 1° 30' E. 175 feet; thence S. 13° 44' E. 90 feet; thence S. 5° 42' E. 200 feet; thence S. 11° 30' E. 190 feet; thence S. 11° 00' W. 155 feet; thence S. 5° 35' W. 150.7 feet; thence S. 4° 53' W. 190 feet; thence S. 11° 30' W. 90 feet; thence S. 1° 00' W. 131 feet; thence S. 3° 03' W. 190 feet; thence S. 2° 24' W. 80 feet; thence S. 10° 08' W. 80 feet; thence S. 4° 53' W. 160 feet; thence S. 1° 08' E. 87.2 feet; thence S. 1° 05' E. 830 feet; thence S. 10° 36' E. 110 feet; thence S. 4° 02' E. 104 feet; thence S. 2° 55' E. 85 feet; thence S. 1° 40' W. 175 feet; thence S. 3° 40' W. 151 feet; thence S. 3° 05' W. 155 feet; thence S. 0° 17' E. 17 feet; thence S. 4° 25' W. 92 feet; thence S. 0° 38' E. 205 feet; thence S. 1° 05' E. 100 feet; thence S. 9° 35' W. 134 feet; thence S. 1° 05' E. 150 feet; thence S. 3° 45' W. 151 feet; thence S. 100 feet; thence S. 5° 40' W. 100 feet; thence S. 3° 49' W. 153.4 feet; thence S. 7° 40' W. 241.3 feet; thence East 190.6 feet; thence N. 8° 11' E. 319.7 feet; thence N. 7° 03' E. 200 feet; thence N. 9° 27' E. 104 feet; thence N. 12° 30' E. 141.2 feet; thence N. 11° 08' W. 125 feet; thence N. 8° 20' E. 130 feet; thence N. 8° 38' W. 155 feet; thence N. 4° 41' E. 155 feet; thence N. 11° 47' W. 210 feet; thence N. 11° 47' W. 140 feet; thence N. 11° 28' E. 113 feet; thence N. 1° 32' E. 82.1 feet; thence N. 0° 43' E. 76.2 feet; thence N. 2° 00' E. 150 feet; thence N. 12° 30' E. 230.8 feet; thence N. 33° 18' W. 118.5 feet; thence N. 15° 3 feet; thence N. 12° 30' E. 141 feet; thence N. 11° 10' W. 141 feet; thence N. 9° 06' W. 125 feet; thence N. 8° 58' W. 143 feet; thence N. 4° 53' E. 160 feet; thence N. 11° 10' W. 101 feet; thence N. 2° 55' E. 233 feet; thence N. 4° 47' E. 234 feet; thence N. 16° 41' E. 246 feet; thence N. 19° 36' E. 54 feet; thence N. 11° 30' W. 139 feet; thence N. 40° 05' E. 104 feet; thence N. 20° 06' E. 97 feet; thence N. 6° 29' E. 190 feet; thence N. 38° 41' W. 161 feet; thence N. 82° 14' W. 154 feet; thence N. 26° 08' W. 140 feet; thence N. 11° 02' W. 140 feet; thence N. 11° 35' W. 150 feet; thence N. 11 feet; thence N. 11° 02' W. 140 feet; thence N. 11° 42' E. 80 feet; thence N. 0° 06' W. 134 feet; thence N. 10° 33' W. 188 feet; thence N. 9° 30' W. 131 feet; thence N. 17° 30' W. 65 feet; thence N. 7° 36' W. 198 feet; thence N. 2° 14' E. 144 feet; thence N. 3° 24' E. 125 feet; thence N. 11° 31' E. 190 feet; thence West 50 feet to the point of beginning.

G. M. Newbill  
G. M. Newbill  
Registered Land Surveyor  
State of Oregon Reg. No. 255

KNOW ALL MEN BY THESE PRESENTS: that THE MILTON BOX COMPANY, AN OREGON CORPORATION, being the owner in fee simple, of the lands shown, do hereby establish and acknowledge the accompanying as the official map and plot of LAKE SHORE TRACTS No. 2, in Wallowa County, Oregon.

Charles J. Nagel  
President

Norman E. Thorgersen  
Secretary

STATE OF OREGON  
COUNTY OF UMATILLA SS.

On 10. 1965 before me, personally appeared the above named Charles J. Nagle and Norman E. Thorgersen President and Secretary, and acknowledge the foregoing instrument to be their voluntary act and deed.

Notary Public For Oregon  
My Commission Expires 195

STATE OF OREGON  
COUNTY OF WALLOWA SS: I, \_\_\_\_\_, County Assessor in and  
for said County and State, do hereby certify that the land embraced  
in the foregoing description is free from taxes, that the plot of same  
conforms to law and is hereby approved.

County Assessor

The foregoing plot is hereby approved

COUNTY JUDGE  
COUNTY COMMISSIONER  
COUNTY COMMISSIONER  
COUNTY COMMISSIONER

Application No. 47536  
Permit No. 46961

1/2" IRON PINS AT LOT CORNERS.  
5/8" IRON PINS AT ANGLE POINTS.

SCALE 1" = 100'



SW 1/4 Sec. 8 T.3 S. R.45 E. W.M.

WALLOWA COUNTY

1"=200'

3S 45 8 C

LAKE SHORE TRACTS

LAKE SHORE TRACTS NO. 2

SE 1/4 NW 1/4

SW 1/4 NE 1/4

NE 1/4 SW 1/4

SW 1/4 NE 1/4

6-5

LAKE

SE 1/4

SW 1/4

SEE MAP 3S 45

LAKE SHORE TRACTS NO. 2  
(PART OF)

LAKE SHORE TRACTS  
(PART OF)

South

1/4 COR

Sec. 8

45 17A

RECEIVED  
JUN 15 1967  
STATE ENGINEER  
SALEM, OREGON

Application No. 43118  
Permit No. 32218

RECEIVED  
DEC 7 1966  
STATE ENGINEER  
SALEM, OREGON

3S 45 8 C



NE 1/4 Sec. 17 T. 3 S. R. 45 E. WM. SEE MAP 3S 45 8 C

WALLOWA COUNTY

1"=200'

N 1/4 COR  
SEC. 17

(PART OF)  
LAKE SHORE  
TRACTS NO. 2

(PART OF)  
LAKE SHORE  
TRACTS NO. 3

SEE MAP 3S 45



3S 45 17A  
LAKE SHORE TRACTS NO. 2  
LAKE SHORE TRACTS NO. 3

NW 1/4 NE 1/4

WALLOWA  
SW 1/4 NE 1/4

NW 1/4 SE 1/4

6-5

RECEIVED  
JUN 15 1967  
STATE ENGINEER  
SALEM OREGON

Application No. 43118  
Permit No. 32218

RECEIVED  
DEC 7 1966  
STATE ENGINEER  
SALEM OREGON

3S 45 17A



NW1/4 Sec. 8 T.3S. R.45E. W.M.  
WALLOWA COUNTY

1" = 200'

3S 45 8 B  
LAKE SHORE TRACTS  
LAKE SHORE TRACTS NO. 2



RECEIVED  
JUN 15 1967  
STATE ENGINEER  
SALEM OREGON

Application No. 43118  
Permit No. 32218

RECEIVED  
DEC 7 1966  
STATE ENGINEER  
SALEM OREGON

3S 45 8 B



SE 1/4 Sec. 17 T. 3 S. R. 45 E. W.M.  
WALLOWA COUNTY

1"=200'

3S 45 17D

LAKE SHORE TRACTS NO. 3

LAKE  
NW 1/4 SE 1/4

WALLOWA

SW 1/4 SE 1/4

6-5

SEE MAP 3S 45

RECEIVED  
JUN 15 1967  
STATE ENGINEER  
SALEM OREGON

NW 1/4 NE 1/4

Application No. 43118  
Permit No. 30218

RECEIVED  
DEC 7 1966  
STATE ENGINEER  
SALEM OREGON

3S 45 17D

Dir. Pl. located 4,685 ft S. / 476 ft. E. from the N. 1/4 cor. Sec. 17

SEE MAP 3S 45

17 1/2 cor.  
20

LAKE SHORE TRACTS NO. 3  
(PART OF)

UNNAMED STREAM

LAKE SHORE

DRIVE





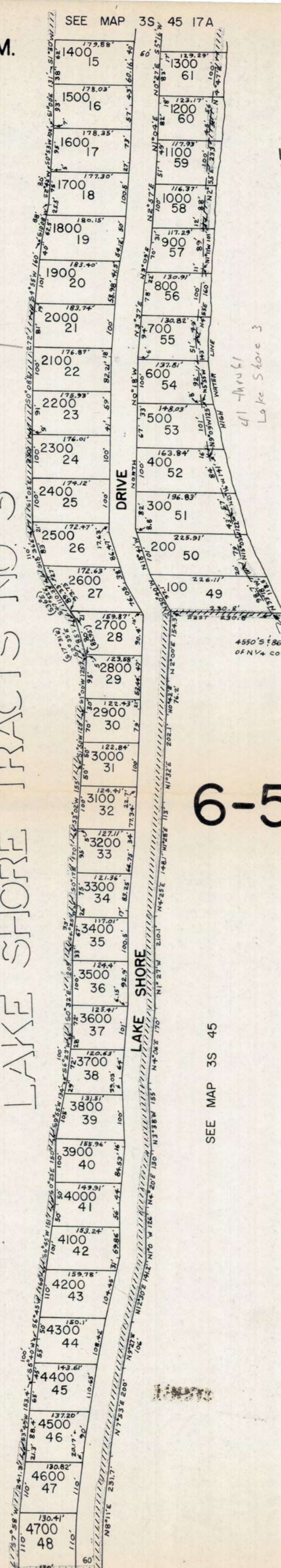
SE 1/4 Sec. 17 T. 3 S. R. 45 E. W.M.  
WALLOWA COUNTY  
1"=200'

3S 45 17D  
LAKE SHORE TRACTS NO. 3

SEE MAP 3S 45

LAKE SHORE TRACTS NO. 3  
(PART OF)

lots 15 through



6-5

SEE MAP 3S 45

Application No. 47536  
Permit No. 46961

3S 45 17D

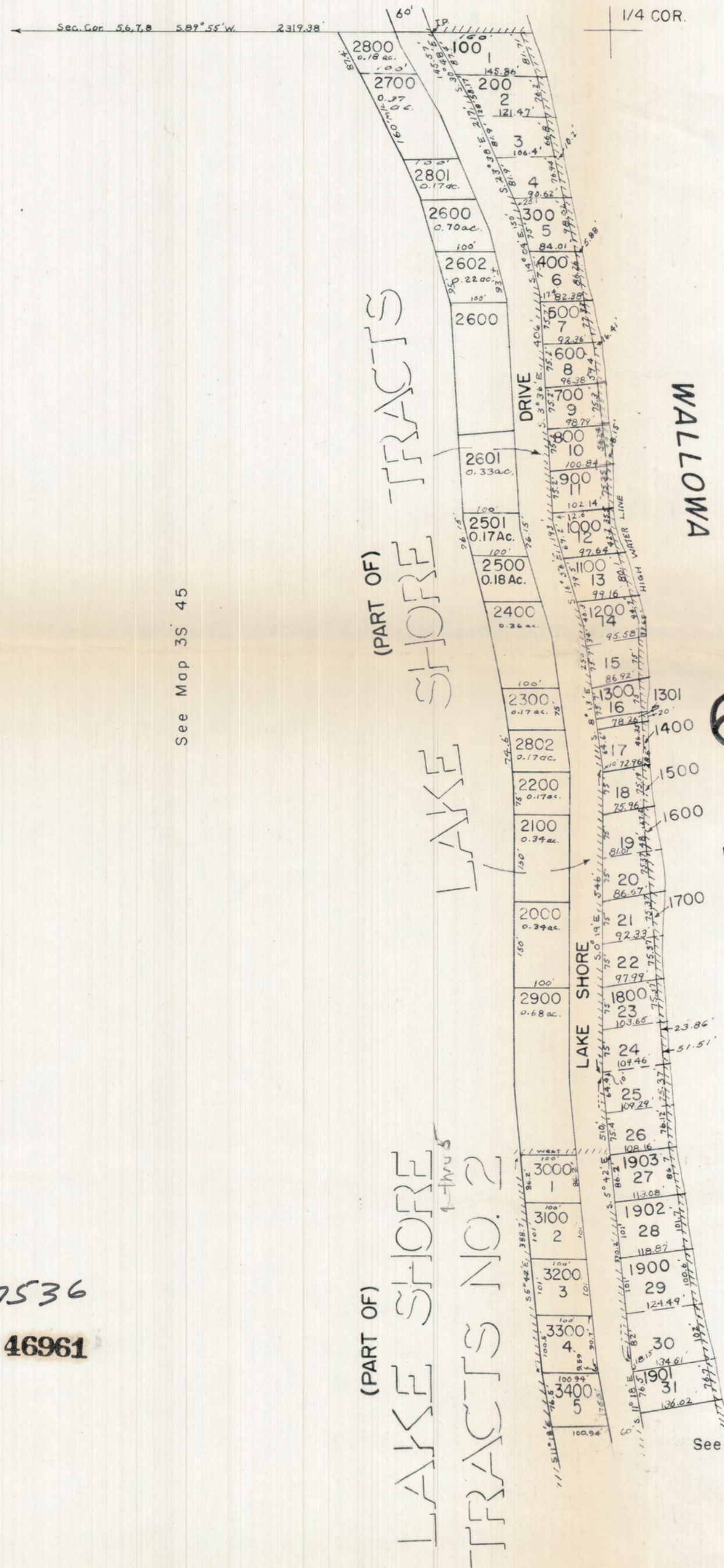


RECEIVED  
JUL 27 1977  
WATER RESOURCES DEPT  
SALEM, OREGON

NW1/4 Sec. 8 T.3S. R.45E. W.M.  
WALLOWA COUNTY  
1" = 200'

3S 45 8 B  
LAKE SHORE TRACTS  
LAKE SHORE TRACTS NO. 2

See Map 3S 45 5 C



See Map 3S 45

6-5

Lots 1-31 inc (part of 40)  
Lake Shore tracts  
original plat.

See Map 3S 45 8 C

Application No. 47536  
Permit No. 46961

URBAN - RURAL - MARINE  
JUL 18 1977  
Assessment & General Division  
Department of Revenue

3S 45 8 B



JUL 27 1977  
WATER RESOURCES DEPT  
SALEM, OREGON

WALLOWA COUNTY

 $1'' = 200'$ 

See Map 3S 45 8B

3S 45 8 C

## LAKE SHORE TRACTS

LAKE SHORE TRACTS NO. 2

SEE MAP 3S 45

LAKE SHORE TRACTS NO. 2  
(PART OF)  
7 APR 25

WALLOWA LAKE  
5-6  
S. FRACTION (PART OF)  
S. FRACTION  
EXT

lots 32 to 67 incl  
Lake Shore Tracts  
original plat.

Application No. 47536  
Permit No. 46961

South 1/4 COR.  
Sec. 8

S 45 17A

See Map 3

3S 45 8 C



JUL 27 1977  
WATER RESOURCES DEPT  
SALEM, OREGON

 $1'' = 200'$ 

LAKE SHORE TRACTS NO. 2  
LAKE SHORE TRACTS NO. 3

CANCELLED NO.  
TL 2201  
2301  
4900

Application No. 47536  
Permit No. 46961

(PART OF)  
LAKE SHORE  
TRACTS NO 2

(PART OF)

SEE MAP 3S 45

(PART OF)  
LAKE SHORE  
TRACTS NO 3

(PART OF)

1st Part  
1 this 14  
Lake Shore 3

SEE MAP 3S 45 17 D

LAKE

6-5

WALLOWA

Lots 62 thru 73  
port Lake Shore 3

3S 45 17A



SCALE 1" = 100'



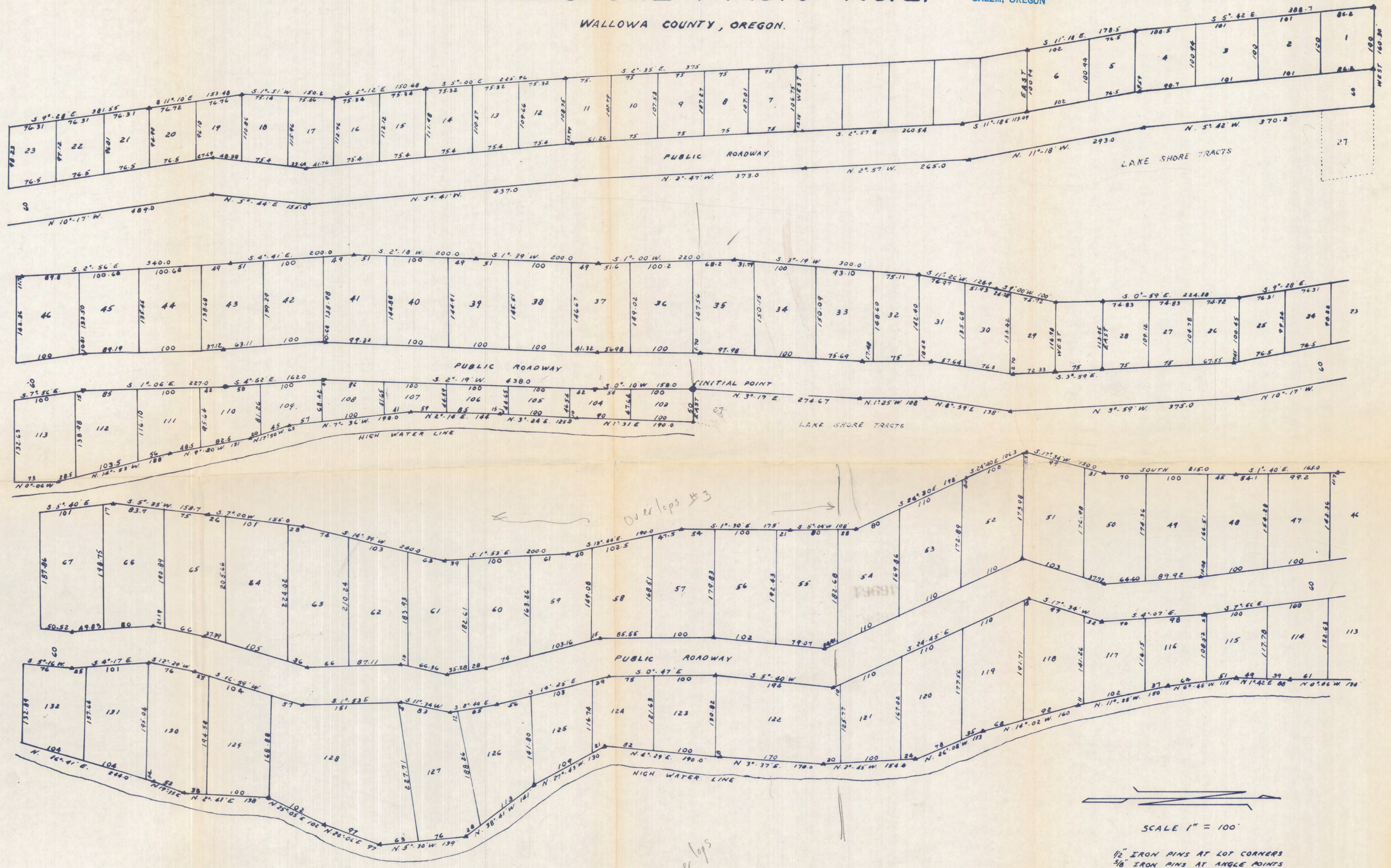
# LAKE SHORE TRACTS NO. 2.

WALLOWA COUNTY, OREGON.

RECEIVED

JUN - 9 1977

WATER RESOURCES DEPT  
SALEM, OREGON

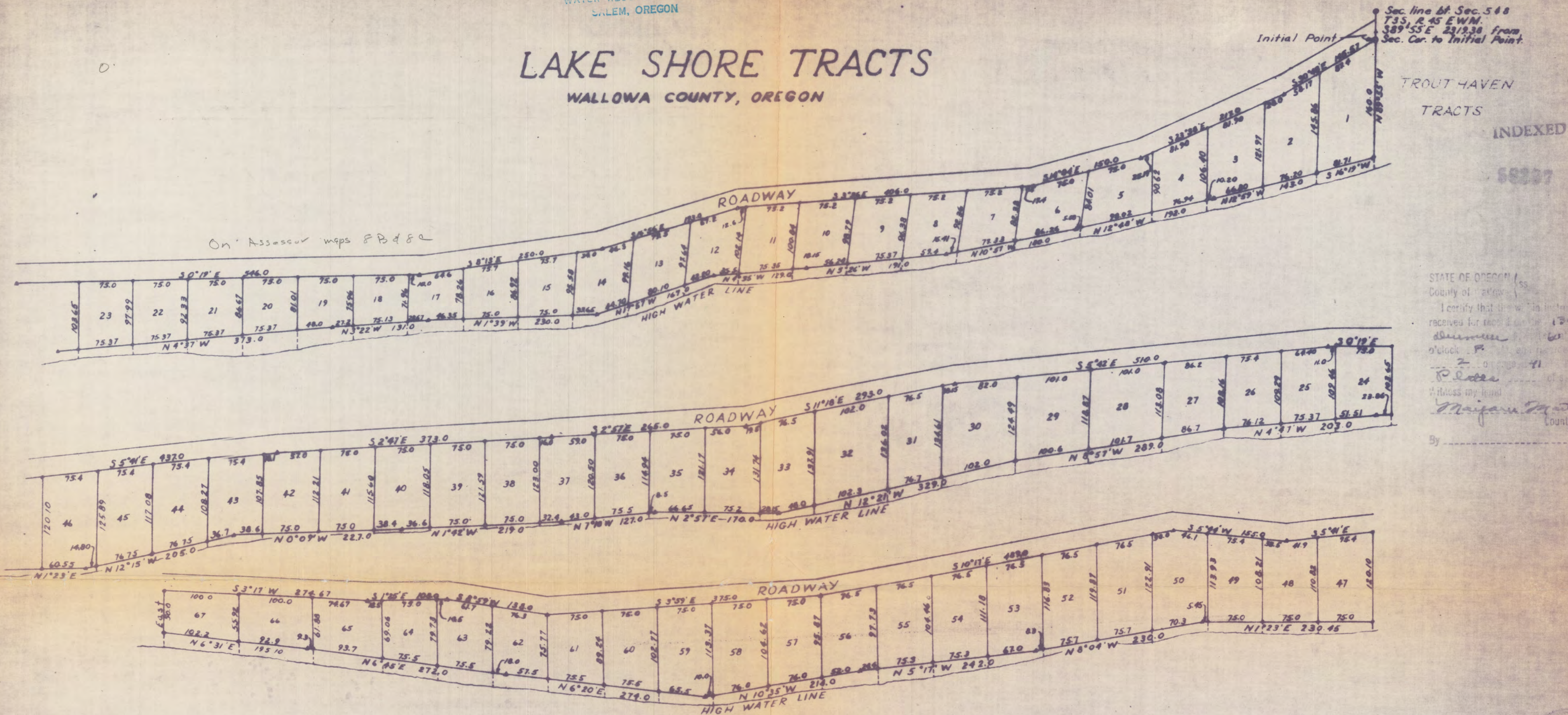


Application No. 47536  
Permit No. 46961



# LAKE SHORE TRACTS

WALLOWA COUNTY, OREGON



STATE OF OREGON  
COUNTY OF WALLOWA ss

I, G. M. NEWBILL, being first duly sworn, depose and say: That I correctly surveyed and marked with proper monuments as indicated on the accompanying plat of LAKE SHORE TRACTS in Wallowa County, Oregon, the lands indicated thereon: that to indicate the initial point of such survey and as shown on said plat I set a three" galvanized iron pipe 3 feet long at the Northwest corner of the property: that said point is located S 89° 55' E from the corner common to sections 5-6-7-8 Township 3 South, Range 45 E.W.M., which is a known corner established by the United States Survey: that the exterior boundaries of the tract of land upon which said lots are laid out are as follows: Beginning at a point in the North line of Section 8, Township 3 South, Range 45 E.W.M., said point being S 89° 55' E, measured along said section line, 231.23 feet from the Northwest corner of said section 8; thence S 30° 48' E 145.57 feet; thence S 23° 38' E 217.0 feet; thence S 14° 04' E 150.0 feet; thence S 3° 36' E 406.0 feet; thence S 16° 56' E 193.0 feet; thence S 8° 13' E 250.0 feet; thence S 0° 19' E 546.0 feet; thence S 5° 42' E 510.0 feet; thence S 11° 18' E 293.0 feet; thence S 2° 57' E 265.0 feet; thence S 2° 47' E 373.0 feet; thence S 5° 41' E 437.0 feet; thence S 5° 44' W 155.0 feet; thence S 10° 17' E 489.0 feet; thence S 3° 59' E 375.0 feet; thence S 8° 59' W 138.0 feet; thence S 1° 25' E 108.0 feet; thence S 3° 17' W 274.67 feet, more or less, to a point in the South line of said Section 8; thence East, along said South line, 50.0 feet; thence N 6° 31' E 195.10 feet; thence N 6° 45' E 272.0 feet; thence N 6° 20' E 274.0 feet; thence N 10° 35' W 214.0 feet; thence N 5° 17' W 242.0 feet; thence N 8° 04' W 230.0 feet; thence N 1° 23' E 230.45 feet; thence N 12° 15' W 205.0 feet; thence N 0° 09' W 227.0 feet; thence N 1° 42' W 219.0 feet; thence N 7° 10' W 127.0 feet; thence N 2° 57' E 170.0 feet; thence N 12° 21' W 329.0 feet; thence N 8° 57' W 289.0 feet; thence N 4° 47' W 203.0 feet; thence N 4° 37' W 373.0 feet; thence N 3° 22' W 131.0 feet; thence N 1° 39' W 230.0 feet; thence N 17° 57' W 167.0 feet; thence N 4° 35' W 129.0 feet; thence N 5° 26' W 191.0 feet; thence N 10° 57' W 180.0 feet; thence N 12° 48' W 192.0 feet; thence N 12° 59' W 143.0 feet; thence N 16° 19' W 81.71 feet to a point in the North line of said Section 8; thence N 89° 55' E, along said North line, a distance of 160.0 feet to the point of beginning. Subject to right-of-way deeds as listed

G. M. Newbill  
Registered Land Surveyor  
State of Oregon Reg. No 255

KNOW ALL MEN BY THESE PRESENTS: That The Milton Box Company, an Oregon Corporation, being the owners in fee simple of the land shown, do hereby establish and acknowledge the accompanying as the official map and plat of LAKE SHORE TRACTS in Wallowa County, Oregon.

STATE OF OREGON  
COUNTY OF UMATILLA ss

On November 23, A.D. 1959 before me, personally appeared the above named C.H. Harris and Mary V. Harris, Pres. and Secy. and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon  
My Commission Expires Dec. 2, 1961

STATE OF OREGON  
COUNTY OF WALLOWA ss I, J. M. Begley, County Assessor in and for said County and State, do hereby certify that the land embraced in the foregoing description is free from taxes, that the plat of same conforms to law and is hereby approved.

The foregoing plat is hereby approved.

Fred C. Hinchey COUNTY JUDGE  
Joe Bauman COUNTY COMMISSIONER  
J. M. Scholtz COUNTY COMMISSIONER  
J. M. Begley COUNTY ASSESSOR  
J. M. Newbill COUNTY SURVEYOR

Subject to a right-of-way for reservoir for irrigation as conveyed to J.H. Dabbin and A.E. Watson by deed recorded in Book 27 of Deeds, at page 86 of Deed Records of Wallowa County, Oregon.

Subject to a right-of-way as conveyed to Dabbin Ditch Company by deed recorded in Book 35 of Deeds at page 179 of said Deed Records.

Subject to right-of-way deeds conveyed to Pacific Power and Light Company recorded in Book 62 of Deeds at page 580, Book 65 of Deeds at page 16 and Book 64 of Deeds at page 502 of said Deed Records.

Approved by the City of Joseph, Oregon.

Mayor

Recorder

SCALE 1"=100'

• DENOTES 1/2" IRON PINS AT LOT CORNERS  
• DENOTES 3/8" IRON PINS AT ANGLE POINTS

REGISTERED  
OREGON  
LAND SURVEYOR

G. M. Newbill  
MAY 6, 1949  
G. M. NEWBILL  
255

Application No. 47936  
Permit No. 46961