

Application No. 6653
Permit No. 5335
Certificate No. 9397

Name Mountain Sheep Ditch Co.

By _____

Address Joseph, Ore.

Date filed _____

Action suspended until _____

Returned to applicant _____

Date completed _____

Date of approval _____

CONSTRUCTION

Date for beginning Feb. 2, 1923

Date for completion June 1, 1925

Extended to _____

Date for application of water Oct. 1, 1927

Extended to Oct. 1, 1929

PROSECUTION OF WORK

Form "A" filed March 12, 1923

Form "B" filed _____

Form "C" filed _____

FINAL PROOF

Blank mailed _____

Proof received _____

Date certificate issued _____

Receipt for recording fee No. 899 (7-12-23)

Stream Index, Page No. P-25

Application Record, Book No. _____

DVA Notification

ASSIGNMENTS

Date	To whom	Address	Volume	Page
	<u>William A. ...</u>	<u>...</u>	<u>2</u>	<u>69</u>

REMARKS

107.49 sec. ft. from Big Sheep & trib. for irr. & supp
supply for 85098.1 acres.

10/28/29 Card for C

12-10-29 ...

12/12/29 - see letter ...

This right determined by Deeds of Court
for Walla Walla County dated Nov. 2, 1930.

Vol. 11, page 6

(Court Cert. No. 9397)

T-5653 (Bird) A.P.O.U.

FEES PAID

Date	Amount	Receipt No.
Total		

FEES REFUNDED

Date	Amount	Check No.

**BEFORE THE WATER RESOURCES DEPARTMENT
FOR THE
STATE OF OREGON**

Order of Proper Proof of Changes in
Place of Use Under Transfer T-5653

)
)

Final Order

THIS ORDER ISSUED TO:

HENRY BIRD
86062 BIRD LANE
JOSEPH OR 97846

This order confirms the right of record to use the waters of BIG SHEEP CREEK, LITTLE SHEEP CREEK AND STREAMS AND SPRINGS CROSSED BY LINE OF SHEEP CREEK DITCH, FOR IRRIGATION of 29.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 10, at Page 330. This portion of said decree confirmed the right to the use of water as applied for under Application S-6653, Permit S-5335. The date of priority is 1919.

The amount of water to which such right is entitled, for the purposes of said, is limited to an amount actually beneficially used for said purposes and shall not exceed ONE-FORTIETH cubic foot per second per acre of land irrigated prior to July 31 of each year and not to exceed ONE-EIGHTIETH cubic foot per second per acre irrigated for the remainder of the irrigation season.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	46 E	WM	9	NW NW	LITTLE SHEEP CREEK – 70 FEET SOUTH AND 90 FEET EAST FROM NW CORNER, SECTION 9
4 S	46 E	WM	32	NE SE	BIG SHEEP CREEK – 2430 FEET NORTH AND 700 FEET WEST FROM SE CORNER, SECTION 32

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	ACRES
3 S	46 E	WM	5	NE NW	3	14.6
3 S	46 E	WM	5	SE NW	6	14.4

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

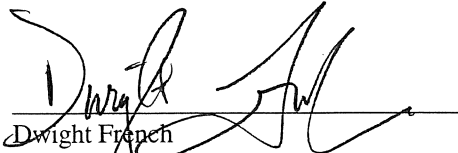
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under general supervision of said watermaster.

The right to the use of the water of the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

This order is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered AUGUST 5, 1985, at Special Order Volume 39, Page 283, approving Transfer Application 5653, affecting a portion of Certificate 9397, State Record of Water Right Certificates.

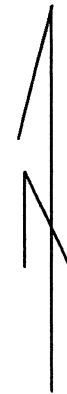
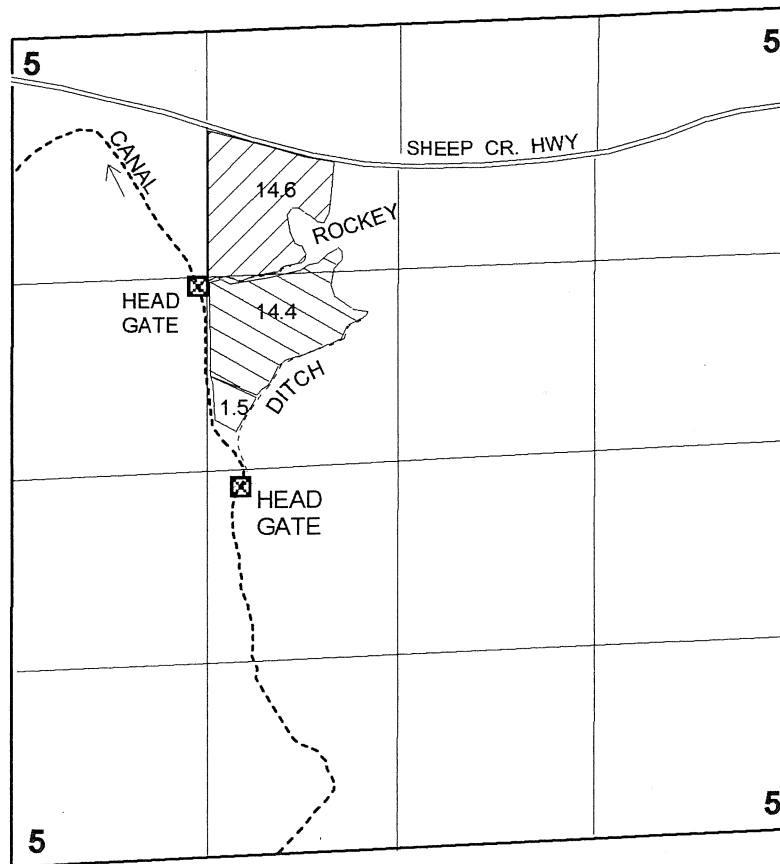
The Department will issue a superseding certificate describing the right when it determines that it is necessary for record keeping.

Issued MAY 08 2015



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

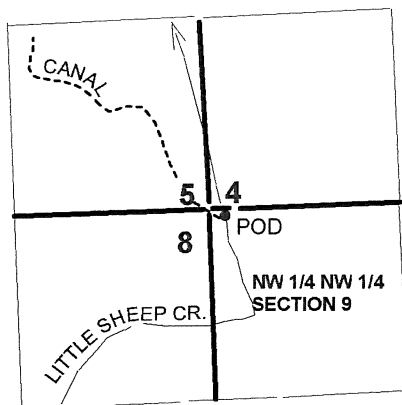
T. 3 S., R. 46 E., W. M.



1" = 1320'

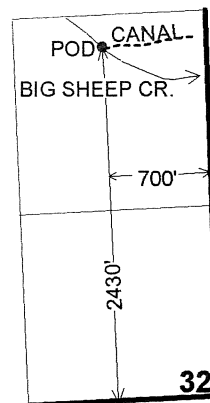
Insert of Diversions

T 4 S., R. 46 E., W. M.



POD - 70' South and 90' East of the Northwest Corner, Section 9.

T. 4 S., R 46 E., W.M.
E 1/2 SE 1/4 SEC.32



FINAL PROOF SURVEY

UNDER

Transfer 5653

IN THE NAME OF

HENRY BIRD

Surveyed: June 20th, 2002 by: J. Miller

RECEIVED

FEB 03 2003

WATER RESOURCES DEPT.
SALEM, OREGON

drafted 10-31-2001 jm gps & DDU-1FF-90



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

Date Mailed: MAY 08 2015

NOTICE OF ORDER OF PROPER PROOF ISSUANCE

Attached is an Order of Proper Proof that confirms the water right established under the terms of a transfer order issued by this Department.

This is an order in other than a contested case and is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of these orders. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions please contact Gerry Clark at 503-986-0811.

June 15, 1931.

M E M O R A N D U M

The rights under this permit No. 5335 have been confirmed by the decree of the Circuit Court in the Immaha Adjudication Proceedings. No proof further than that filed in such proceedings will be required and the waterright certificate to be issued in accordance with said decree will be the only certificate issued.

L.A.S.

LAS EL

December 14, 1929

Mr. Rhea Luper
State Engineer
Salem
Oregon

December 17, 1929.

Application No. 5335

Dear Sir:

Your letter advising that the Willows Valley Improvement District No. 1 is about to be in default in making proof of complete application of the waters applied for under the above numbered application, Mr. Max Wilson, Attorney, Joseph, Oregon. I note that the District has sixty days in which to submit this proof. Kindly send to me the necessary blanks and instructions and I will prepare the proof and submit it as soon as possible after the blanks arrive.

Dear Mr. Wilson:

I had neglected to make this proof as you will recall that the District No. 1 is about to be in default in making proof of complete application of the waters applied for under the above numbered application, Mr. Max Wilson, Attorney, Joseph, Oregon. I am sorry we sent you the registered notice relative to the making of final proof in connection with Application No. 6653, Permit No. 5335. We had knowledge of conditions there and it was not necessary to send you the form letter. However, the quantity of water applied can be made at once.

I believe it was Mr. Luper's idea that the proof of claim filed in the Imnaha River Adjudication Proceedings would be the only proof required under this permit and that the court would probably confirm the right by decree. Considering the matter in this way, there will be nothing to do at this time in connection with Permit No. 5335. We will simply defer the matter of making final proof until after the entry of the decree.

With kind personal regard, I am

Yours very truly,

RHEA LUPER,
State Engineer

By
Office Assistant.

LAS:LW

December 14, 1929

JOSEPH, :: OREGON

December 14, 1929

Mr. Rhea Luper
State Engineer
Salem
Oregon

STATE ENGINEER
RECEIVED
DEC 16 1929
SALEM, OREGON

Re: Application No. 6653

Dear Sir:

Your letter advising that the Wallowa Valley Improvement District No. 1 is about to be in default in making proof of complete application of the waters applied for under the above numbered application, arrived yesterday. I note that the District has sixty days in which to make this proof. Kindly send to me the necessary blanks for this purpose with instructions and I will prepare the proof and submit it as soon as possible after the blanks arrive.

I had neglected to make this proof as you will recall that the District made certain proofs last June when you were here in the matter of determining the rights to the waters of Imnaha River and its tributaries. Proof was made at that time for considerable more water than that applied for in the permit granted, if I remember correctly. However, the work is all completed and the quantity of water applied for has been used, so the proof can be made at once.

Awaiting your early reply, I am,

Max Wilson
Secretary.

May 23, 1929

Mr. Rhea Luper,
State Engineer
Salem, Oregon

Re: Permit No. 6653

Mr. Max Wilson,
Attorney,
Joseph, Oregon.

Dear Sir:

As requested in your letter of May 18th I am sending you certified copies of the maps on file in this office in connection with Application No. 6653 showing the location of the canals of the Wallowa Valley Improvement District located in the Wallowa National Forest. These blue prints are furnished in duplicate, there being two groups of three prints each.

The field notes of surveys made on the location and construction of the canal are not on file in this office. If any data of that kind is available, it will have to be secured from Mr. George H. Brewster, whose address is Redmond, Oregon. If these field notes cannot be found either in his possession or in the records of the District and if the land office insists on complete field notes, it probably will be necessary for you to have a new survey of the canal made ~~as~~ it is actually constructed.

The charge for furnishing these blue prints and certificates is \$5.60.

Yours very truly,

RHEA LUPER,
State Engineer.

RETURN RECEIPT. 6653

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Wallowa Valley Imp. Dist. #1
(Signature or name of addressee.)

Max Wilson
(Signature of addressee's agent.)

Date of delivery, 12/13, 1929

MAX WILSON
Attorney-at-Law
JOSEPH, : OREGON

STATE ENGINEER
RECEIVED

May 18, 1929

MAY 20 1929

SALEM, OREGON

Mr. Rhea Luper,
State Engineer
Salem, Oregon

Re: Permit No. 6653 *app.*

Dear Sir:

Wallowa Valley Improvement District No. 1, has never filed its final proof on construction of its ditch over the right of way through the National Forest in Townships 3 and 4 S. R. 46 E. W. M., and the Department of the Interior has given us notice that this proof must be made by the 23rd instant. The Department requires a great deal in the way of maps, field notes, etc., copies of which were filed with your office at the time the work was begun. I am asking you to send me certified copies of maps in duplicate, also certified copies in triplicate of the field notes so that we may submit these in connection with proof of construction.

I am writing the United States Land Office at The Dalles, today and will try to explain why proof has been delayed so long and why it will be impossible to submit final proof within the time stated. You will remember that I wrote you some time ago about this matter and my letters were referred to the District Forester at Portland, Oregon. He acknowledged receipt of the letters but so far has not furnished the data I asked for.

Kindly enclose your bill for the copies requested.

Yours very truly,

Max Wilson

MW/HFT

* Permit No.....

APPLICATION FOR A PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Mountain Sheep Ditch Company
(Name of applicant)
of Joseph, County of Wallowa
(Postoffice)
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. March 10-1900

1. The source of the proposed appropriation is Big Sheep and its tributaries
and all springs and creeks crossed by line of canal (Name of stream)
tributary of Snake River

2. The amount of water which the applicant intends to apply to beneficial use is 200
cubic feet per second.

3. The use to which the water is to be applied is Irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located would be in N.W. 1/4 (if surveyed) sec. 32
(Give distance and bearing to section corner)
town. 3 S range 46 east

being within the N.W. 1/4 of Sec. 32, Tp. 4 south
(Give smallest legal subdivision) (No. N. or S.)
R. 46 E, W. M., in the county of Wallowa
(No. E. or W.)

5. The canal to be 9
(Main ditch, canal or pipe line)
miles in length, terminating in the of Sec. , Tp.
(Smallest legal subdivision) (No. N. or S.)
R. , W. M., the proposed location being shown throughout on the accompanying map.
(No. E. or W.)

6. The name of the ditch, canal or other works is Mt Sheep Ditch Co. canal
3 four foot gates

DESCRIPTION OF WORKS

DIVERSION WORKS—

7. (a) Height of dam 3 feet, length on top 40 feet, length at bottom 40 feet; material to be used and character of construction brush and timber
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate timber 20 by 16
(Timber, concrete, etc., number and size of openings)

CANAL SYSTEM—

8. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: Width on top (at water line).....12.....feet; width on bottom.....12.....feet; depth of water.....3.....feet; grade .2ft fer hundred feet fall per one thousand feet.

(b) At miles from headgate. Width on top (at water line)feet; width on bottom.....feet; depth of water.....feet; grade feet fall per one thousand feet.

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

IRRIGATION—

The land to be irrigated has a total area of 4120 acres of new land and 5440 acres of land applying for a supplemental right described as follows;

S $\frac{1}{2}$ of SW. $\frac{1}{4}$ sec. 19	80 acres	
N $\frac{1}{2}$ of NW. $\frac{1}{4}$ sec. 30	80	
N $\frac{1}{2}$ of Sw $\frac{1}{4}$ sec. 30	80	
SE $\frac{1}{4}$ sec. 31	160	
W $\frac{1}{2}$ of NE. $\frac{1}{4}$ 31	80	
S $\frac{1}{2}$ of S $\frac{1}{2}$ sec. 29	160	
N $\frac{1}{2}$ of sec 32	320	
N $\frac{1}{2}$ of SW $\frac{1}{4}$ 32.	80	all in tw n 2 south range 46 east
NW $\frac{1}{4}$ of NW $\frac{1}{4}$ sec.8	40	
S $\frac{1}{2}$ of SW. $\frac{1}{4}$ sec.18	80	all in tw n. 3 S. range 46 east
all of sec. 13	640	
" " " 14	640	
E $\frac{1}{2}$ of sec.15	320	
E $\frac{1}{2}$ of sec. 10	320	West $\frac{1}{2}$ of 12 320
E $\frac{1}{2}$ of W $\frac{1}{2}$ sec,10	160	SE $\frac{1}{2}$ of 12 160
W $\frac{1}{2}$ of sec. 1	320	all in tw n. 3 south range 45 east.
	4120	4070

W $\frac{1}{2}$ of S. E. $\frac{1}{4}$ Sec. 30

and the following described land for a supplemental right

S $\frac{1}{2}$ of SE $\frac{1}{4}$ sec.19	80 acres	
S $\frac{1}{2}$ of NW $\frac{1}{4}$ sec. 30	80	
S $\frac{1}{2}$ of SW. $\frac{1}{4}$ sec. 30		
NW $\frac{1}{4}$ NE. $\frac{1}{4}$ SW. $\frac{1}{4}$ of NE $\frac{1}{4}$ -30	120	
S $\frac{1}{2}$ of SW $\frac{1}{4}$ 30	80	
W $\frac{1}{2}$ of sec. 31	320	all in tw n 2 south range 46 east
sec. 6	640	
sec. 7	640	
W $\frac{1}{2}$ of 5	320	
N $\frac{1}{2}$ of sec.18	320	
N $\frac{1}{2}$ SW. $\frac{1}{4}$ 18	80	all in tw n 3 south range 46 East
Sec. 11	640	
NE $\frac{1}{4}$ of 12	160	
Sec. 2	640	
E. 1/2 of 1 all in tw n. 3 south range 45 east	320	
S.1/2 of 36	820	
NE $\frac{1}{4}$ of 36	160	
E $\frac{1}{2}$ of NW $\frac{1}{4}$ sec. 36	160	
	80	

duplicate

MUNICIPAL SUPPLY—

11. To supply the city of _____
_____, County, having a present population of _____, and an
(Name of)
estimated population of _____ in 191_____.

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

12. Estimated cost of proposed works, \$100,000.00

13. Construction work will begin on or before _____ has begun

14. Construction work will be completed on or before Jan.1st 1922

15. The water will be completely applied to the proposed use on or before Oct.1st 1923

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

Mountain Sheep Ditch Company

(Name of applicant)

by

L. Knapp, Pres

Attest:

W. Schaeffer, Secy.

Signed in the presence of us as witnesses:

(1)

George A. Brewster

(Name)

Enterprise, Oregon

(Address of witness)

(2)

(Name)

(Address of witness)

Remarks: This application is for water to supplement the rights on Little Sheep Creek and its tributaries and for new lands as named. Detailed maps showing the exact course of the ditch all streams and springs crossed, headgates, laterals, and other information will be furnished later. The work on the ditch from Big Sheep was started Aug. 25th of this year and \$22,000. has already been expended and the balance of the work will be rushed. The system contemplates the construction of 4 miles of ditch to divert Big Sheep into Little Sheep at a cost of \$75,000 and the enlargement of Little the 5 miles of ditch from Little Sheep at a cost of \$25,000. Three tributaries of Big Sheep have already been tapped or have been reached by the construction work so far done and they will be used during the season of 1920. Better maps cannot be furnished at this time as all the work is in a very rough and unsurveyed section of country.

We have asked for 200 second feet of water and have but 9560 acres of land listed which we know is a greater amount than the State allows but there is no available data on the flow of these streams and the amount we can get is mere guess work. If we can take care of more land we expect to do so. We have a ditch contemplated to take care of 200 feet and if the STATE OF OREGON, } water is available we wish to dispose of it as the ditch ss. is costing a great amount of money.
County of Marion, }

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion, as follows: _____

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before _____, 191_____.

WITNESS my hand this _____ day of _____, 191_____.

State Engineer.

7
STATE OF OREGON, }
County of Marion, } ss.

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

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

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

WITNESS my hand this day of, 191.....

State Engineer.

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

Application No. 6653
Permit No.

PERMIT

TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

Division No. District No.

This instrument was first received in the
office of the State Engineer at Salem, Oregon,
on the 25 day of July
1919, at 8:50 o'clock A. M.

Returned to applicant for correction:

Corrected application received:

Approved:

Recorded in Book No. of

Permits, on Page

State Engineer.

1000000
1000000
1000000

PERMIT No. 5335

APPLICATION No. 6653

COUNTY Wallowa

Proof of Appropriation of Water

1. Name Wallowa Valley Improvement Dist. #2 Address Joseph, Oregon.
3. Source of supply Big Sheep Creek and tributaries
- Tributary of
4. Amount of water 107.49 sec.ft. 5. Priority date July 23, 1919
6. Use Irrigation and supplemental irrigation
7. The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use. In the blank column on the right, headed "No. acres actually irrigated," fill in the number of acres you have irrigated in each of the tracts described:

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
					This column must be filled in if water is used for irrigation.

(Attach separate sheet if necessary)

DESCRIPTION OF WORKS

8. (a) Location of point of diversion, Sec. 33, Twp. 4 S, Range 46 E W. M.
(Legal Subdivision)
- (b) If a dam has been constructed, give description: Height, ft.; length on top, ft.; length on bottom, ft.; material used and character of construction,
- (c) Give description of headgate: Width, ft.; depth, ft.; material used and character of construction,
- (d) Size of canal: Width on top (at waterline) ft.; width on bottom, ft.; depth of water, ft.; grade, ft. fall per 1,000 ft. Actual capacity, sec.-ft. Give general description,

8. (Cont'd.)

(e) Pipe line: Description of intake,
.....
Length of pipe,ft.; size at intake,in.; size atft. from intake,in.; size at place
of use,in. Difference in elevation between intake and place of use,ft.
Is grade uniform? Actual capacity of pipe line,sec.-ft.
Give general description:
(Material: Steel, wrought, cast iron, wood stave, etc.)
.....

(f) Pumping plant: Give size and type of pump,
Suction lift,ft.; discharge lift,ft. Type of motor used
Horse power rating, H. P. Actual capacity of pump,sec.-ft.

GENERAL

9. During what months is water beneficially used
10. State character of soil
Kind of crops raised
11. Does the accompanying map, filed with your application, show correctly the point of diversion, area
of land irrigated, or place of use?
12. If not, wherein is such map in error?
.....
13. Domestic use: Give number of families actually using water at this time
14. If for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give
extent and method of such use
.....
.....

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of

} ss.

I,, being first duly sworn,
depose and say that I have read the above and foregoing proof of appropriation of water; that I
know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this day
of, 192.....

Subscribed and sworn to before me this day of, 192.....

Notary Public for Oregon

[NOTARIAL SEAL]

My commission expires

Twp.	Range	Sec.	40-Acre Tract	No. Acres Described in Permit	No. Acres Irrigated
2 S	45 E	25	NE $\frac{1}{4}$ -NE $\frac{1}{4}$	40	19.2
			NW $\frac{1}{4}$ -NE $\frac{1}{4}$	40	
			SW $\frac{1}{4}$ -NE $\frac{1}{4}$	40	
			SE $\frac{1}{4}$ -NE $\frac{1}{4}$	40	
			NE $\frac{1}{4}$ -NW $\frac{1}{4}$		9.8
			SE $\frac{1}{4}$ -NW $\frac{1}{4}$		2.4
			NE $\frac{1}{4}$ -SW $\frac{1}{4}$	40	10.7
			NW $\frac{1}{4}$ -SW $\frac{1}{4}$		35.5
			SW $\frac{1}{4}$ -SW $\frac{1}{4}$		5.3
			SE $\frac{1}{4}$ -SW $\frac{1}{4}$	40	4.4
			NE $\frac{1}{4}$ -SE $\frac{1}{4}$	40	39.3
			NW $\frac{1}{4}$ -SE $\frac{1}{4}$	40	
			SW $\frac{1}{4}$ -SE $\frac{1}{4}$	40	6.2
			SE $\frac{1}{4}$ -SE $\frac{1}{4}$	40	27.2
				40	6.0
		35	SW $\frac{1}{4}$ -SE $\frac{1}{4}$	40	24.0
			SE $\frac{1}{4}$ -SE $\frac{1}{4}$	40	37.4
		36	NE $\frac{1}{4}$ -NE $\frac{1}{4}$	40	15.0
			NW $\frac{1}{4}$ -NE $\frac{1}{4}$	40	40.0
			SW $\frac{1}{4}$ -NE $\frac{1}{4}$	40	40.0
			SE $\frac{1}{4}$ -NE $\frac{1}{4}$	40	36.8
			NE $\frac{1}{4}$ -NW $\frac{1}{4}$	40	34.8
			SW $\frac{1}{4}$ -NW $\frac{1}{4}$	40	1.3
			SE $\frac{1}{4}$ -NW $\frac{1}{4}$	40	38.0
			NE $\frac{1}{4}$ -SW $\frac{1}{4}$	40	45.0
			NW $\frac{1}{4}$ -SW $\frac{1}{4}$	40	32.0
			SW $\frac{1}{4}$ -SW $\frac{1}{4}$	40	39.0
			SE $\frac{1}{4}$ -SW $\frac{1}{4}$	40	42.0
			NE $\frac{1}{4}$ -SE $\frac{1}{4}$	40	40.0
			NW $\frac{1}{4}$ -SE $\frac{1}{4}$	40	40.0
			SW $\frac{1}{4}$ -SE $\frac{1}{4}$	40	39.2
			SE $\frac{1}{4}$ -SE $\frac{1}{4}$	40	39.0
2 S	46 E	19	SW $\frac{1}{4}$ -SW $\frac{1}{4}$	40	
			SE $\frac{1}{4}$ -SW $\frac{1}{4}$	40	
			SW $\frac{1}{4}$ -SE $\frac{1}{4}$	39	
			SE $\frac{1}{4}$ -SE $\frac{1}{4}$	25	
		30	NE $\frac{1}{4}$ -NE $\frac{1}{4}$	25	
			NW $\frac{1}{4}$ -NE $\frac{1}{4}$	29	
			SW $\frac{1}{4}$ -NE $\frac{1}{4}$	11	10.8
			NE $\frac{1}{4}$ -NW $\frac{1}{4}$	40	
			NW $\frac{1}{4}$ -NW $\frac{1}{4}$	40	19.0
			SW $\frac{1}{4}$ -NW $\frac{1}{4}$	40	
			SE $\frac{1}{4}$ -NW $\frac{1}{4}$	40	14.7
			NE $\frac{1}{4}$ -SW $\frac{1}{4}$	40	
			NW $\frac{1}{4}$ -SW $\frac{1}{4}$	40	
			SW $\frac{1}{4}$ -SW $\frac{1}{4}$	40	
			SE $\frac{1}{4}$ -SW $\frac{1}{4}$	40	
			NW $\frac{1}{4}$ -SE $\frac{1}{4}$	12	12.0
			SW $\frac{1}{4}$ -SE $\frac{1}{4}$	22	14.3
			SE $\frac{1}{4}$ -SE $\frac{1}{4}$		0.7
		31	NE $\frac{1}{4}$ -NE $\frac{1}{4}$	8	2.6
			NW $\frac{1}{4}$ -NE $\frac{1}{4}$	40	2.8
			SW $\frac{1}{4}$ -NE $\frac{1}{4}$	40	25.2
			SE $\frac{1}{4}$ -NE $\frac{1}{4}$	22	8.2
			NE $\frac{1}{4}$ -NW $\frac{1}{4}$	40	6.2
			NW $\frac{1}{4}$ -NW $\frac{1}{4}$	40	6.0
			SW $\frac{1}{4}$ -NW $\frac{1}{4}$	40	34.0
			SE $\frac{1}{4}$ -NW $\frac{1}{4}$	40	17.4
			NE $\frac{1}{4}$ -SW $\frac{1}{4}$	40	11.0
			NW $\frac{1}{4}$ -SW $\frac{1}{4}$	40	31.0
			SW $\frac{1}{4}$ -SW $\frac{1}{4}$	40	34.0
			SE $\frac{1}{4}$ -SW $\frac{1}{4}$	40	23.0
			NE $\frac{1}{4}$ -SE $\frac{1}{4}$		12.2

Twp.	Range	Sec.	40-Acre Tract	No. Acres Described in Permit	No. Acres Irrigated
2 S	46 E	31	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	34.8
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	34.0
			SE $\frac{1}{4}$ SE $\frac{1}{4}$		1.0
3 S	45 E	1	Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)	40	39.0
			Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)	39.9	41.0
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	42.0
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	42.0
			Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)	39.5	43.6
			Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)	40.3	39.2
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	41.0
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	43.0
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	44.0
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40.0
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40.0
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	43.0
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	42.0
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	41.6
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40.8
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40.0
		2	Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)	39.9	40.0
			Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)	39.9	40.0
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	42.0
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	41.0
			Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)	40	28.0
			Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)	40	4.0
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	38.4
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	38.6
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	39.0
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	38.2
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40.0
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	39.0
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	42.0
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	42.0
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40.0
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40.0
		3	SW $\frac{1}{4}$ NE $\frac{1}{4}$		4.0
			SE $\frac{1}{4}$ NE $\frac{1}{4}$		22.0
			SE $\frac{1}{4}$ SW $\frac{1}{4}$		8.5
			NE $\frac{1}{4}$ SE $\frac{1}{4}$		39.0
			NW $\frac{1}{4}$ SE $\frac{1}{4}$		40.0
			SW $\frac{1}{4}$ SE $\frac{1}{4}$		41.0
			SE $\frac{1}{4}$ SE $\frac{1}{4}$		40.0
		10	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40.0
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	39.0
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40.0
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	39.0
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	6.4
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	41.0
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	34.9
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	24.3
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40.0

Twp.	Range	Sec.	40-Acre Tract	No. Acres Described in Permit	No. Acres Irrigated
3 S	45 E	11	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	39.6
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	38.8
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	39.6
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	39.6
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	38.0
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	39.8
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	38.8
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	38.0
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	36.2
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	42.0
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40.4
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	38.0
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40.0
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40.0
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	36.4
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	36.4
		12	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	38.4
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	38.0
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40.0
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	38.8
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40.0
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40.0
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	41.4
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40.0
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40.0
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	39.8
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	38.0
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40.0
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40.0
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40.0
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40.0
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40.0
		13	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	39.0
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40.0
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	38.0
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	38.0
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40.0
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40.8
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	38.0
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	37.0
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	37.8
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	16.8
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	1.2
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	38.2
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40.0
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	38.0
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	20.8
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	17.6
		14	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	39.0
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	38.6
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	36.0
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	41.4
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	39.8
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40.0
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	38.2
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40.0

Twp.	Range	Sec.	40-Acre Tract	No. Acres Described in Permit	No. Acres Irrigated
3 S	45E	14	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40.0
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	16.4
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	18.2
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	37.0
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	35.8
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	13.0
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	12.0
		15	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	39.6
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	26.0
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	38.0
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	38.0
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40.0
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	34.8
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	4.8
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	13.0
		5	NW $\frac{1}{4}$ NW $\frac{1}{4}$	17	32.4
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	31.2
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	27.5	
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	7.0	
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	37.8
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40.0
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	13	20.1
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	15	19.8
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	34.6
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	4.0
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	42.0
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	47.4	19.0
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	45.7	28.0
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	24.4
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	11.8
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	27.6
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40.0
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	39.0
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	37.0
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	36.4
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	38.4
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	39.4
	46 E	6	NE $\frac{1}{4}$ NE $\frac{1}{4}$	15	19.8
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	34.6
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	4.0
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	42.0
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	47.4	19.0
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	45.7	28.0
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	24.4
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	11.8
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	27.6
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40.0
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	39.0
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	37.0
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	36.4
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	38.4
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	39.4
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	39.0
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	39.0
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	37.0
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	39.2
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	39	39.0
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	38.0
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	38.2
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	38.0
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	38.2
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	38.2
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40.4
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	29.0
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	11.0
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	

Twp.	Range	Sec.	40-Acre Tract	No. Acres Described in Permit	No. Acres Irrigated
3 S	46 E	8	NW $\frac{1}{4}$ NW $\frac{1}{4}$	19	22.4
		18	NW $\frac{1}{4}$ NE $\frac{1}{4}$	35	23.2
			SW $\frac{1}{4}$ NE $\frac{1}{4}$		3.2
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	24.8
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	38.0
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	38.0
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	19.0
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	20.2
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	39.0
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	28.2
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	11.8
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	5	
			NW $\frac{1}{4}$ SE $\frac{1}{4}$		1.6

APPLICATION NO. 9935 COUNTY Willamette

AFFIDAVIT OF WITNESSES

STATE OF OREGON,

County of _____

} ss. Address _____

We, _____, and _____

of _____, being first duly sworn, depose and say that we are well acquainted with the facts and conditions set forth in the foregoing statement relative to proof of appropriation of water under Permit No. _____; that we and each of us have been over and upon each tract described in said proof, and from such personal inspection have knowledge that all necessary ditches, dams and other diversion and distributing works have been constructed, and water used as stated therein; that we have carefully read such proof of appropriation, and that each and every statement contained therein is true to the best of our knowledge and belief.

Subscribed and sworn to before me this _____ day of _____, 192_____

Notary Public for Oregon

[NOTARIAL SEAL]

My commission expires _____

REPORT OF PERSON MAKING INSPECTION

(For use by representative of State Engineer)

I, _____, do hereby certify that I have made an inspection of the works described herein and in Permit No. _____, on the _____ day of _____, 192_____, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of _____
(Quantity of water in second-feet or acre-feet)
and I recommend the issuance of a water right certificate for this amount.

(Name)

(Title)

NOTE TO INSPECTORS—If conditions do not justify the above report by you, please return the proof without your signature, with a full report by letter.

STATE OF OREGON,

County of _____

We, _____

and _____

of _____, being first duly sworn, depose and say that we are well acquainted with the facts and conditions set forth in the foregoing statement relative to proof of appropriation of water under Permit No. _____; that we and each of us have been over and upon each tract described in said proof, and from such personal inspection have knowledge that all need early ditches, drains and other diversion and distributing works have been constructed, and have used stated therein; that we have carefully read such proof of appropriation, and that each of us has every statement contained therein is true to the best of our knowledge and belief.

PROOF OF APPROPRIATION

Permit No. _____

Recording fee paid _____

Receipt No. _____

192

day of _____

Subscribed and sworn to before me this _____

Notary Public for Oregon

My commission expires _____

[NOTARIAL SEAL]

REPORT OF PERSON MAKING INSPECTION

(For use by representative of State Engineer)

I, _____, do hereby certify that I have made an inspection of the works described herein and in Permit No. _____ on the _____ day of _____, 192____, and found the same to be in accordance with the provisions of the act, and I recommend the issuance of a water right certificate for this amount.

(Name)

(Title)

NOTE TO INSPECTORS—If conditions do not justify the above report by you, please return the proof without your signature, with a full report by letter.

G. H. BREWSTER

WATER MASTER No. 4,
WALLOWA COUNTY

ENTERPRISE, OREGON

Nov. 4th 1919

OFFICE OF STATE ENGINEER

RECEIVED

NOV 7 1919

SALEM, OREGON

Mr Percy Cupper
State Engineer
Salem Ore.

Dear Sir,

Possibly a little more detailed information as to the character of the country in which the ditch for the Mt. Sheep Ditch Co. is to be built would help.

There is a saddle between the Big Sheep and Little Sheep valleys.

The highest point of the ditch was necessarily in the lowest point of that saddle and a line of levels was run around to Big Sheep. The distance was about 4 miles and was all sidehill and very brushy.

The plan²⁵ is to have a R of W cleared ²⁵35' wide on each side of the stakes and after that is done make a real survey for the purpose of filings and construction. As there is absolutely no chance to shift the location of the ditch, we must follow the sidehill, that is the best and cheapest plan and we are following it.

We now have 3 miles cleared and about 2 miles constructed. We will furnish a much better map than you have now in a few days but will not furnish our final map, (unless you compel us to) until after the R of W is all cleared next year.

I hope this will explain the whole matter satisfactorily to you.

Respectfully yours.

G. H. Brewster

6641 *Chas H. Reynolds, filed July 16-19*
6653 *Mrs. Shupbach Co. July 23-19*
6791 *John H. Murrell, et al Oct 4-19*

of Grande, on Big Sheep Creek.
G. H. BREWSTER

WATER MASTER No. 4,
WALLOWA COUNTY

ENTERPRISE, OREGON

Nov. 4th 1919

Mr Percy Cupper
State Engineer,
Salem Ore.

OFFICE OF STATE ENGINEER
RECEIVED
NOV 7 1919
SALEM, OREGON.

Dear Sir,

I have your letter of the 28th to Mr Schaupp at hand for an answer.

I beleive that you were writtem that we did not expect to use the map we filed, that no survey had been made and that the ditch was entirely in unsurveyed land.

We filed a map at the time we did as we knew another filing was in the process of being made and we wanted you to have something to go on for our filing.

We expect to give you the very best data that can be obtained as soon as we can get it but as stated before it is in a very rough brushy and unsurveyed section and we want to get the R of W cleared before we make our final map. We are in a position to give a much more complete map now than we were a month ago but the snow came 2 feet deep and made us get out before we got all we wanted or expect to get.

I note what you say in regard to the application and if you will kindly return the same to me here I will check it over and fix it up.

I do not care if you send back the map or not as we have stated that we do not intend to use that map for our final map.

Respectfully Yours.

G. H. Brewster

November 12, 1919.

Mr. A. W. Schaupp,
Joseph,
Oregon.

Dear Sir:

In reply to your letter of November 10th, I am enclosing copy of Application No. 6641, by Chas. H. Reynolds, covering the appropriation of water from Big Sheep Creek. The fee provided by law for furnishing this copy is 50 cents.

This application is awaiting the filing of maps and the payment of fees, as per the following copy of our letter to Mr. Reynolds, dated July 16, 1919:

"Enclosed please find my official receipt No. 6764 for \$3.00 which amount was transmitted with your letter of the fourteenth instant, together with application for a permit to appropriate water from Big Sheep Creek. This application has been numbered 6641 and placed on file in this office.

"No other filings appear on our records for the water of Big Sheep Creek, but you will understand that the records of this office are complete only since February 24, 1909, at which time the water code became effective.

"The application will be taken up for approval upon receipt of maps and the balance of fees."

It is our understanding that you are organizing an irrigation district, to include the land covered by Application No. 6653, and that this filing is made on behalf of an irrigation district. We would be glad to be advised as to this matter and the progress being made in the formation of the irrigation district.

Trusting this will give you the desired information, I remain,

Very respectfully,

Percy A. Copper,
State Engineer.

RS-R
Enc.

6653

A. W. Schaupp
Attorney at Law
Joseph, Oregon

Nov. 10th, 1919

Mr. Percy A. Cupper
State Engineer
Salem, Oregon.

6641

OFFICE OF STATE ENGINEER
RECEIVED
NOV 12 1919
SALEM, OREGON

My Dear Mr. Cupper:-

I was informed last evening by Mr. Brewster that a party by the name of Chas Reynolds, of LaGrande, had made a filing on water in Big Sheep on July 16th, 1919 or 7 days prior to our filing, and that you had just informed him of that fact. This was some news to me as you had not intimated this to me at the time I made the filing for the Mountain Sheep Ditch Company, that there was any other filing ahead of ours, and we have expended about \$23,000.00 in constructing our ditch to Big Sheep Creek to get this water.

In any event I believe it is the work of some one who expects to make a little money on the side, as I do not believe there is any one person or company who can afford to pay the amount necessary to get this water out and I assume that some work will have to be done soon in order to make his filing good.

If it is not asking too much I would like to have a copy of the filing of Reynolds and if you will have it prepared and a bill sent to me for the work I will appreciate it very much.

Thanking you in advance, I am

Very truly yours

A. W. Schaupp

November 7th, 1919.

Mr. G. H. Brewster,
Water Master,
Enterprise, Oregon.

Dear Sir:

I am in receipt of your two letters of November 4th, in regard to application No. 6653, in the name of the Mountain Sheep Ditch Company, and note that you will prepare a final map at a later date, and that it will be impossible to complete the application before next spring when engineering work can be carried on. We will accordingly hold the application until April 1st before returning same for completion, unless action becomes necessary before that time by reason of subsequent filings on the same water.

Perhaps it will be well to call your attention to the fact that Chas. H. Reynolds of LaGrande, Oregon, filed an 100 second feet from the waters of Big Sheep Creek on July 16 of this year, under application No. 6641, which is still pending in this office. This application is prior to Application No. 6653 in the name of the Mountain Sheep Ditch Company, which was filed on July 23rd.

On October 4th, John H. Nuxall, et al, filed on 75 second feet of water from Big Sheep Creek, Sheep Ridge Creek, Little Sheep Creek and its tributaries, Granite Creek, Gordon Creek, Camp Creek, Ferguson Creek, Cloverdale Creek and the West Fork of Little Sheep Creek, and any and all tributaries of the Little Sheep Creek that flow into said Little Sheep Creek above the point of diversion of the proposed ditch, for the irrigation of approximately 6000 acres. This application was filed by A. S. Cooley and is still pending in this office.

This information may give you an idea as to whether or not the filing made by Chas. H. Reynolds, which is prior to the filing of the Mountain Sheep Ditch Company, would conflict with the rights of the Mountain Sheep Ditch Company.

Very respectfully,

Percy A. Cupper,

RS-R.

State Engineer.

A. W. Schaupp
Attorney at Law
Joseph, Oregon

Nov. 14th, 1919.

OFFICE OF STATE ENGINEER
RECEIVED
NOV 17 1919
SALEM, OREGON

Mr. Percy A. Cupper

State Engineer

Salem, Oregon.

Dear Sir:-

I have your letter of the 12th inst. relative to the filing of Chas. H. Reynolds, on water of Big Sheep Creek, and also the inclosed application and I note in your letter your reply to him. I do not see in your letter where you have given him any definite time to file his maps and complete his filing.

I understand that this must be done within 30 days from the date of filing according to Sec. 6627. I also note that he has made no reference to any lands to be irrigated and numerous other defects.

After looking over the application my suspicions are more strongly confirmed that some one is simply trying to fake a right in this matter and the way the matter stands it is simply going to hold the building of this ditch until it is settled. The Mountain Sheep Ditch Company, has a prior filing on 2800 inches of water since 1905 in Big Sheep made under the 1898 statute but we need all the water in Big Sheep Creek and this will interfere somewhat with the district unless we can bring the matter to a head this winter. I would like to have you have this party make his showing by maps and land to be irrigated, by some definite time as I may desire to bring this matter to an issue in the Circuit Court.

copy of
app 6641
already
furnished

A. W. Schaupp
Attorney at Law
Joseph, Oregon

I am organizing the Mountain Sheep Irrigation District which proposes to take over the works of the Mountain Sheep Ditch Company, after its organization, and as you will notice by the petition contains approximately 8000 acres of land. This land is almost all irrigated to some extent out of the Little Sheep Creek and its tributaries and the land is at the present time worth from \$150.00 to \$200.00 per acre and the total value of the land will be somewhere around \$1,500,000.00.

My intention, after the district has been organized and approved etc. is to bond for about \$100,000.00 to take over the entire works of the Mountain Sheep Ditch and finish the works that are now in progress under the supervision of the Mountain Sheep Company.

I am handing you a petition, notice and notice of election and you will notice that the election will be held on the 25 of Nov. 1919.

If the district decides on organization at the election I will be down to see you some time soon and take up the matter of the approval of bonds and such other matters as may arise.

Very respectfully yours,

A. W. Schaupp

July 29, 1919.

Mr. C. H. Brewster,

La Grande, Oregon.

Dear Sir:

I am in receipt of your letter of the twenty-ninth instant requesting that we hold application No. 6653 in the name of the Mountain Sheep Ditch Company for 90 days before returning the same for completion, and you are advised that we will hold the application until November 1, 1919, before returning the same for completion unless action becomes necessary before that time by reason of subsequent filings upon the same water.

Trusting you will find this satisfactory, I am

Very respectfully,

Percy A. Cupper,

State Engineer.

RS:W

G. H. BREWSTER
WATER MASTER, DISTRICT NO. 4
ROOM 28, LA GRANDE NATIONAL BANK BLDG.
LA GRANDE, OREGON

6658

July 29th 1919

Mr Cupper
State Engineer
Salem Ore.

Some days ago Mr Schaupp of Joseph sent in a filing for the waters of Big Sheep Creek and you allowed him 30 days for the completion of the filing.

I want to ask at this time for at least 90 days to complete the filing. I am to do the work and at present I have not the time to spare from my official work.

I would like to have the time extended for the further reason that the ditch lies entirely in unsurveyed, rough and brushy lands. A crew will start at once clearing right of way and I would like to make the maps after the right of way has been cleared and a good line can be run.

There is no doubt as to their doing the work as they have already raised \$30,000. in cash to start the work and go ahead until they can form a district and it is the idea to have the work all done by the 1st of July 1920.

At present we do not know just what lands will be watered or how the lower end of the ditch will run and as the total cost will be around \$80,000. I want good maps and careful surveys and therefore request that you allow the time asked and notify Mr Schaupp that it will be allowed.

Very truly yours

Geo. H. Brewster

July 23, 1919.

Mr. A. W. Schaupp,

Joseph, Oregon.

Dear Sir:

Enclosed please find my official receipt No. 6781 for \$20.00 which amount was transmitted with your letter of the twenty-first instant together with application for a permit to appropriate water in the name of the Mountain Sheep Ditch Company. This application has been numbered 6653 and placed on file in this office. I note that the application is not complete, and that you wish thirty days within which to prepare the maps and complete the application. I am enclosing blanks which may be completed and returned to be substituted for the application on file.

The fees on this application are a three dollar examination fee, five dollars recording fee for domestic supply and five dollars recording fee for supplemental supply regardless of the number of acres which will secure such supplemental supply right under this permit, and at the rate of fifteen cents per acre for each acre up to 100 acres, five cents for the next 900 acres, and one cent for each acre in excess on one thousand acres of new land.

The land requiring a supplemental supply should be listed separate from the land requiring a new water right, and in each case the number of acres within each 40 acre tract should be given.

Trusting you will have no difficulty in completing the filing, I remain

Very respectfully,

Percy A. Copper,
State Engineer.

RS:W
Enc.

A. W. Schaupp
Attorney at Law
Joseph, Oregon

July 21st, 1919.

Mr. Percy A. Cupper

Salem, Oregon.

Dear Sir:-

I am handing you herewith an application for a permit to appropriate the waters of Big Sheep Creek, together with a check for \$20.00. I have not completed the application and you will notice that I have asked for 30 days in which to prepare the maps etc. I am sending you \$20.00 and if that amount is not sufficient please give the correct amount and I will hand you a check for same. We are not certain as to the amount of the land that will be under the ditch and will not know until I get my copy of map from Mr. Luper, as I gave it to him several days ago.

Mr. Brewster made the survey and will not be able to prepare the maps of the course for several days.

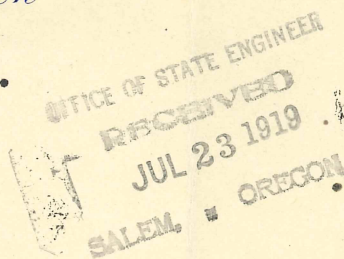
The reason that I did not compute the amount of the fee according to statute, was that this is practically all a supplemental right and I was not sure whether the statute would apply as to the amount of the fees in an original appropriation.

Awaiting your early return, I am

Very truly yours

A. W. Schaupp

No map Holg



6653

A. W. SCHAUPP

ATTORNEY-AT-LAW

JOSEPH, OREGON

March 17th
1922

Mr. Percy A. Cupper,
State Engineer,
Salem, Oregon.

Dear Sir:

On August 8th, 1921, I received a notice from the Department of the Interior allowing the Mountain Sheep Irrigation District thirty days in which to submit a certified copy of the application showing an approved water right from the State of Oregon for the Mountain Sheep Irrigation District.

Owing to an oversight I failed to submit the certified copy, and on February 28th, 1922, another notice was issued allowing the Mountain Sheep Irrigation District thirty days in which to file a certified copy of the approved water right from the State of Oregon.

I received this notice several days ago and unless the time is extended I may not be able to get this certified copy of an approved water right filed within the time required by the Department of the Interior.

When I made my application for a right-of-way over the National Forest Reserve I submitted a certified copy of the application for water from Big Sheep Creek and tributaries. The application did not show that it was approved, and this I failed to notice.

I understand that this application has been approved recently, and I am handing you herewith the certified copy and will ask that you show the proceedings in approving this water right so that this certified copy can be returned to the Department of the Interior.

Thanking you in advance, I remain,

Very truly yours,

AWS:FA

A. W. Schupp

6653

February 2, 1922.

Mountain Sheep Irrigation District,
A. W. Schaupp, President,
Joseph, Wallowa Co.,
Washington.

Gentlemen:- Herewith you will find Application No. 6653, being Permit No. 5335 which has been approved and recorded in this office. Enclosed please find check for \$38.05, excess fees.

App 6653

WATER MASTER

ENTERPRISE, OREGON

Jan. 17, 1922.

January 23rd, 1922.

Mr. Lewis A. Stanley,
Water Master for Wallowa County,
Enterprise, Oregon.

Dear Sir:

In compliance with your request of January 17th,
I am enclosing abstracts of the following:

Permit No. 1448, under which certificate No. 2439
was issued in the name of the Mountain Sheep Ditch Company,
covering the lands shown;

Permit No. R 223, in the name of the Mountain
Sheep Ditch Company. Certificate has not been issued un-
der this permit. Although proof blanks were forwarded the
Company for execution in October, 1918, final proof has not
been submitted under this permit.

Application No. 6653, which was originally ac-
quired by the Mountain Sheep Ditch Company, and later assign-
ed to the Wallowa Valley Improvement District No. 1. Per-
mit has not yet been issued under this application, but it
is expected permit will go forward within a short time.

Blueprints of the maps to accompany the above
abstracts are being forwarded under separate cover.

Trusting you will find this satisfactory, I re-
main,

Very respectfully,

Percy A. Cupper,
State Engineer.

R.
Enclosure.

OFFICE OF THE
WATER MASTER
LEWIS A. STANLEY, C. E.

ENTERPRISE, OREGON,
Jan. 17, 1922.

Mr. Percy A. Copper,
State Engineer,
Salem, Oregon.

Dear Sir:-

I find that I have no records of the water rights of the Mountain Sheep Ditch Company of Joseph, Oregon, under Permits Nos. 1448 and 6653 and R223. A certificate of water right covering permit 1448 and R 223 is on file in the clerks office, however.

Will you please send me Abstract of Permit No. 6653 and the maps to accompany all three above mentioned permits, i.e. 1448, 6653 and R 223?

Very respectfully,

Lewis A. Stanley.
Water Master Dist. No. 4

STATE ENGINEER
RECEIVED

JAN 18 1922

SALEM, - OREGON

2743-1448

2341-R223

6653-

Application No. 6653.

December 3rd, 1921.

Mr. A. W. Schaupp,
Joseph,
Oregon.

Dear Sir:

In checking over our records, I find that you have overlooked the payment of fees due this office in the amount of \$2.00, the fee provided by law for furnishing two certified copies of Application No. 6653, which were forwarded you on December 21st, 1920.

I will appreciate your prompt remittance as the statute provides for the collection of these fees in advance, and this requirement was waived for your convenience as a patron of the office.

Thanking you for your prompt attention to this matter, I remain,

Very respectfully,

RJS:R

Percy A. Cupper,
State Engineer.

Receipt 8986

October 24th, 1921.

Mr. A W Schaupp,
Joseph,
Oregon.

Dear Mr. Schaupp:-

I am in receipt of your letter of the 19th inst. together with assignment of Application No. 6653 of the Mountain Sheep Irrigation District to the Wallowa Valley Improvement District No. 1. This assignment has been recorded in the Miscellaneous Records of this office and is returned to you.

The fee for recording this assignment amounting to \$1.30 was received some time ago.

Very respectfully,

Percy A Capper,

State Engineer.

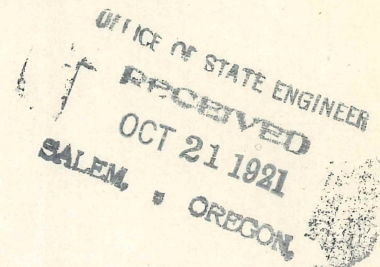
LA

(6653)

A. W. SCHAUPP

ATTORNEY AT LAW
JOSEPH, OREGON

Oct 19th, 1921.



Mr. Percy A. Cupper,
State Engineer,
Salem, Oregon.

Dear Sir:-

I am handing you herewith the assignment from the Mountain Sheep Irrigation District, a Corporation, to the Wallowa Valley Improvement District No. 1.

This assignment was handed to you before, and was returned for date. I also note that you state that the seal is very dim, which I will admit. In fact we do not have a Mountain Sheep Irrigation District seal now, for the reason that it was changed last spring after the name of the District was changed. The old seal was practically worn out so I used it and had a new impression made, so it will be impossible to change the seal as it now stands, in fact I do not think a seal of the Corporation is absolutely necessary on this assignment, for the order of the Court changing the name of the Mountain Sheep Irrigation District to the Wallowa Valley Improvement District No. 1. makes an assignment of all the assets of the Mountain Sheep Irrigation District to the Wallowa Valley Improvement District No. 1.

I have inserted the date and will ask that you please record the same as it now stands.

Very truly yours,

AWS:FA

WALLOWA VALLEY IMPROVEMENT DIST. No. 1.

AWSchaupp Secretary.

September 2nd, 1921.

Mr. A W Schaupp,
Joseph,
Oregon.

Dear Mr. Schaupp:-

I am returning herewith the assignment sent to this office some time ago, as it appears that the same has not been dated, likewise the affidavit has no date. The corporate seal is very dim, and I would suggest that a more distinct impression be made.

I believe that you would wish these corrections be made before the same is recorded, Hence its return.

Very respectfully,

Percy A Cupper,

State Engineer.

PAC-LA

August 27th, 1921.

Mr. A. W. Schaupp,
Attorney at Law,
Joseph, Oregon.

Dear Sir:

I am in receipt of your letter of the 25th instant transmitting an assignment of certain water rights from the Mountain Sheep Irrigation District to the Wallowa Valley Improvement District No. 1.

I believe this assignment should be placed on record in this office, and upon receipt of \$1.30 the fees provided by law, the same will be recorded.

Very respectfully,

Percy A. Cupper,
State Engineer.

A. W. Schauph
Attorney at Law
Joseph, Oregon

August 25th, 1921.

Mr. Percy A. Cupper,
State Engineer,
Salem, Oregon.

Dear Sir:

I am handing you herewith a transfer
of the water right from the Mountain Sheep
Irrigation District to the Wallowa Valley
Improvement District No. 1.

I thought at first that I would allow
this to be issued as it stands, but after
considering the matter I concluded that it
would be best to have it transferred.

Please send me your bill for recording.

Very truly yours,

AWS:FA

A. W. Schauph

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **PATRICK A. OGLE**

of **Route 1, Box 150-A, Independence**, State of **Oregon**, **97351**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of an unnamed intermittent drainageway, tributary of Luckiamute River, appropriated under Application number 46515, Permit number 34753, in Ogle Stockwater Reservoir

for the purposes of
stock
under Reservoir Permit No. **R-5546** of the State Engineer, and that said right to store said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **October 30, 1969**

that the amount of water entitled to be stored each year under such right, for the purposes afore-
said, shall not exceed **1.0 acre foot**

The reservoir is located in

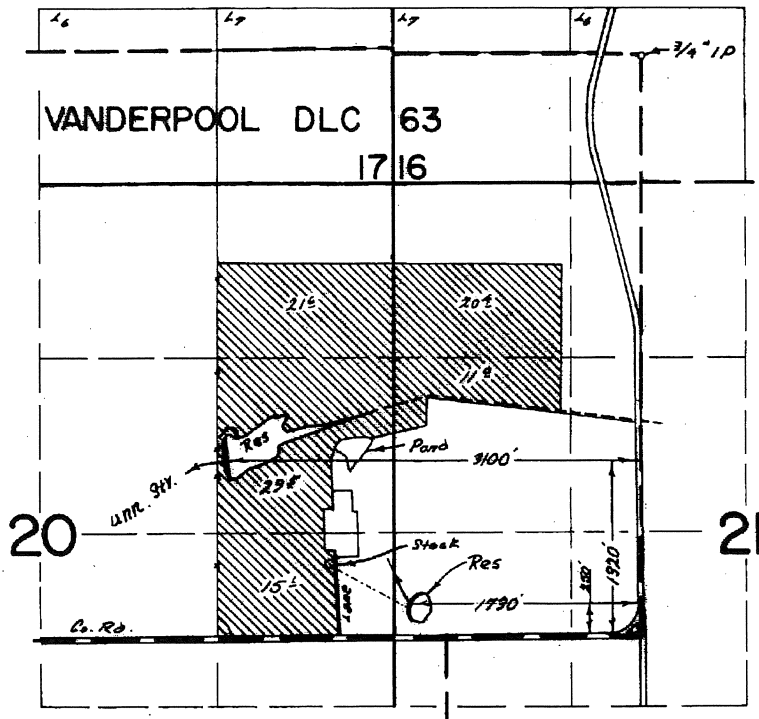
NW 1/4 SW 1/4
As projected within Vanderpool DLC 63
Section 21
T. 9 S., R. 4 W., W.M.

WITNESS the signature of the State Engineer, affixed
this date. **June 28, 1974**

Chris L. Wheeler
State Engineer

Recorded in State Record of Water Right Certificates, Volume **32**, page **40594**

T.9S. R.4W. W.M.



FINAL PROOF SURVEY
UNDER

46517 34802
 R-46516 R-5580
 46515 34753
 Application No. R-46514 Permit No. R-5586
 IN NAME OF
PATRICK A. OGLE
 Surveyed March 21 1978, by R. G. Mucken

August 10th, 1921.

Mr. A. W. Schaupp,
Attorney at Law,
Joseph, Oregon.

Dear Sir:

Enclosed please find my official receipt No. 8703 for \$22.01, being the balance of fees due on application No. 6653 in the name of the Mountain Sheep Irrigation District.

You did not say whether you wish to file an assignment from the Irrigation District to the Improvement District and unless hearing from you within a reasonable time, the application will be approved as it stands.

Very respectfully,

Percy A. Copper,
State Engineer.

Enclosure.

August 5th, 1921.

Mr. A. W. Schaupp,
Attorney at Law,
Joseph, Oregon.

Dear Sir:

I am in receipt of your letter of August 2nd, in which you state you were transmitting a check for \$22.01, but when the letter was opened no check was found.

I have accordingly corrected the application to show 40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Township 2 South, Range 45 East, would require a supplemental supply, and the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 15, Township 3 South, Range 45 East, would require a new right.

An assignment of this application from the Mountain Sheep Ditch Company to the Mountain Sheep Irrigation District has been recorded, but we have no assignment from the Mountain Sheep Irrigation District to the Wallowa Valley Improvement District No. 1. It is probable no complications would arise should the permit be issued in the name of the Irrigation District, but if you wish, an assignment may be filed transferring the application to the Improvement District.

We would be glad to approve the application upon receipt of the fees.

Very respectfully,

Percy A. Cupper,
State Engineer.

RJS:R

A. W. Schaupp
Attorney at Law
Joseph, Oregon

July Aug. 2nd, 1921

Mr. Percy A. Cupper

State Engineer

Salem, Oregon.

Dear Sir:- IN RE: Ap. 6653.

I have your letter of the 23 of July relative to the above application and beg to advise that the 40 acres in SW of NW Sec. 36 Tp. 2 S.R.45 should be listed as land requiring a supplemental supply of water and the land listed as N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 15 Tp 3 S.R.45 should be listed as land requiring a new right.

According to your letter there is still due the sum of \$21.21 plus .80 cents and I am handing you herewith a check for \$22.01 and will ask that you issue a permit for the land then shown.

I believe that the permit should be issued to the Wallowa Valley Improvement District No. 1 inasmuch as the water rights have all been assigned to the district. I do not know whether this assignment is in you files and I do not know if it makes a great deal of difference whether the permit is issued in the name of the old or new company for I presume the right attaches to the land. If you think there is any advantage in issuing the permit in the name of the new district and you do not have a proper assignment please notify me.

Thanking you for calling my attention to this matter I remain

Very truly yours,

A. W. Schaupp.

July 23rd, 1921.

Mr. A W Schaupp,
Joseph, Wallowa Co.,
Oregon.

Dear Sir:-

I presume you wish to complete application No. 6653 in the name of the Mountain Sheep Irrigation District, but I have no reply to my letter of December 21st, calling attention to certain discrepancies.

The map filed with the application shows 40 acres in SW NW Sec. 36, Tp. 2 S R 45 E.W.M, and 80 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15; Tp 3 S R 45 E., which are not covered by the tabulated land list in the application.

The tabulation now covers an area of 2237.5 acres, which require a supplemental supply, and 6240.6 acres which require a new water right.

The fees on this application are as follows: examination fee \$3.00, recording fee for supplemental supply \$5.00; recording fee for 6240.6 acres \$112.41, the sum of \$99.20 has been paid on this application, leaving a balance of \$21.21 due.

If the application is correct, showing the 120 acres listed above as requiring a new water right, \$1.20 additional is due.

I would be very glad to correct the application and issue permit upon receipt of instructions and the balance of the fees.

Very respectfully,

Percy A Cupper,

State Engineer.

RJS-LA

December 21, 1920

Mr. A W Schaupp,
Joseph,
Oregon.

Dear Sir:-

Enclosed please find my official receipt No. 8160 for \$1.30, which amount was transmitted with your letter of December 18th for recording assignment of the water right under Application No. 6653 from the Mountain Sheep Ditch Company to the Mountain Sheep Irrigation District, which assignment has been recorded and is returned herewith. I am also enclosing two certified copies of Application No. 6653 for use in connection with securing right of way.

The fee provided by law for making these certified copies is \$2.00

I have checked the applications with the map and find the map shows 40 acres in the NW NW Sec. 36, Tp 2 S R 45 E, and 80 acres in the NE NE¹/₂ Sec. 15 Tp 3 S R 45 E.W.M., which are not covered by the application.

Upon checking the tabulation I find that the area for old water right amounts to 2237.5 acres, and the area for new water right amounts to 6240.6 instead of 6320.6 as stated in your tabulation. We would be glad to correct the application in accordance with the map, if you will advise whether or not the land in question is new land or requires a supplementary water supply.

I am also in receipt of engineering report for the Mountain Sheep Irrigation District and this together with your letter appears to cover the points in question in regard to the certification of bonds.

Very respectfully.

Percy A Cupper,

State Engineer.

RJS-LA

December 15th, 1920.

Mr. A. W. Schaupp,
Joseph,
Oregon.

Dear Sir:

I am in receipt of your letter of December 5th transmitting a copy of the contract between the Mountain Sheep Ditch Company and the Mountain Sheep Irrigation District, and an assignment of the rights under application No. 6653 from the Mountain Sheep Ditch Company to the Mountain Sheep Irrigation District. The fee provided by law for recording this assignment is \$1.30.

I am returning herewith the amended application which was filed by Mr. Brewster, and wish to call your attention to the fact that the original application covered the appropriation of water under question No. 1 from "Big Sheep Creek and its tributaries and all the springs and creeks crossed by line of canal." It would appear that the District would require water for both irrigation of new lands and a supplemental supply. Therefore the application should be amended under question No. 3 to cover "irrigation and a supplemental supply for the irrigation of lands already having a partial water right."

You will note that I have indicated under question No. 4 that the point of diversion will be located in Section 33, Twp. 4 South, 46 East, which appears from the maps filed by Mr. Brewster. I am returning the tracing prepared by Mr. Brewster showing the lands to be irrigated, and after checking the separate lists of lands which will require supplemental supply and a new water right, I find that the map shows the $N\frac{1}{2}$ $S\frac{1}{2}$ and $SE\frac{1}{4}$ $SW\frac{1}{4}$ of Section 14, Twp. 3 South Range 45 East, would require a water right but the tabulation does not cover this land either for a new water right or for supplemental supply. I also note the tabulation shows the entire SE quarter of Section 15, Twp. 3 South, Range 45 East, will require a new water right, and the $N\frac{1}{2}$ $SE\frac{1}{4}$ is also covered by a supplemental supply. The map shows 39 acres in $SW\frac{1}{4}$ $NE\frac{1}{4}$ of Section 7, Twp. 3 South, Range 46 East, while the application shows 40 acres within this tract. The map also shows 40 acres in the $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Section 7, while the application shows 39 acres. The map shows 40 acres within the $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Section 36, Twp. 2 South, Range 45 East, while the application does not cover any land within this tract.

We have corrected the land list in a number of cases where it would appear from the map the wrong description was given, which you will note on the tabulation. Upon the return of the application and tracing with the corrections noted, we will be glad to forward you certified copy of the same.

We have the records that were worked up by Mr. Henshaw, of the flow of Big Sheep Creek at the automatic gage, and also the records of flow in the Mountain Sheep Canal during July. Kindly give us the approximate location where the records were secured upon the canal. We would like to know whether or not the records of the flow of the canal show the entire quantity of water furnished by all streams above the Mountain Sheep Ditch. The records on Little Sheep Creek show a considerable flow during June. Am I not right in the assumption that practically all of this water rises below the canal line or would some of the water arising above the canal line find its way back into the stream above the gage on Little Sheep Creek. If you can give us any information as to the probable amount of water as shown by the records of Little Sheep Creek during 1920 that rises above the canal line and will be available for use through the canal, we will appreciate it very much.

With the information at hand we will go over the records again, and will advise you if further records are necessary.

Very respectfully,

Percy A. Copper,
State Engineer.

RS:R

A. W. Schaupp
Attorney at Law
Joseph, Oregon

Dec. 14th, 1920.

Mr. Percy A. Cupper

State Engineer

Salem, Oregon.

Dear Sir:-

Referr~~y~~ing your letter of the 9th relative to completing the filing of the Mt. Sheep Ditch Co. I will state that I saw Mr. Brewster about the point of diversion and he states that he wrote you concerning the same. In any event the point of diversion lies in unsurveyed territory and it would be impossible to give the point of diversion any more definitely than to state where it lies in reference to a known corner. This he states he has done. In case he has not done this let me know at once as I am anxious to get this matter before the interior department.

I am also inclosing a contract of sale and an assignment of the rights of the Mt. Sheep Ditch Company to the Mt. Sheep Irrigation District. The contract is for your own information and the assignment is for record in reference to the water right. I am going to make a special effort to sell the bonds or at least \$100,000.00 of the bonds after the first of the year for I have an idea that the market will be looking better. If there is any thing further that you need or desire before approving the bonds please let me know at once so that I can act accordingly.,

Very truly yours,

A. W. Schaupp

Due 1²⁰ for ass^{ts}

December 9, 1920

Mr A W Schaupp,
Joseph,
Oregon.

Dear Sir:-

I am in receipt of your letter of December 8th requesting certified copy of Application No. 6653, in the name of the Mountain Sheep Ditch Company. Our records show this application had been filed on July 23rd, 1919, in the name of the Mountain Sheep Ditch Company, and no assignment has been recorded showing the filing in the name of the Mountain Sheep Irrigation District.

I am enclosing a copy of letter written to George H Brewster on November 13th, and you will note that the point of diversion is not given in the corrected application and his attention was called to the fact that an assignment should be secured.

I would be very glad to prepare and forward certified copy of the application as soon as these matters have been attended to as I do not believe the application would answer the purpose unless it stands in the name of the Mountain Sheep Irrigation District and the point of diversion is definitely located.

Very respectfully

Percy A Cupper,
State Engineer.

RJS-LA

Ap 6653

A. W. Schaupp
Attorney at Law
Joseph, Oregon

December 8th, 1920.

Percy A. Cupper,
State Engineer,
Salem, Oregon.

OFFICE OF STATE ENGINEER
RECEIVED
DEC 9 1920
SALEM, OREGON.

Dear Sir:-

It will be necessary, in making my application to the Federal Government for a right of way across the National Forest, to send them a certified copy under your hand of all the water rights or permits on record in your office. Will you have a certified copy of these permits made and sent to me at once, together with your bill for preparing the copies.

Very truly yours,

AWS:FA.

A. W. Schaupp

November 13, 1920.

Mr. G. H. Brewster,
Enterprise,
Oregon.

Dear Sir:

I am in receipt of application for permit to appropriate water in the name of the Mountain Sheep Irrigation District, together with four tracings. I presume it is the intention to substitute this application for application No. 6653 in the name of the Mountain Sheep Ditch Company, as it covers the same amount of water and the same land.

If this is to be substituted for application No. 6653 I would suggest that an assignment of this application be secured for our records. I note you do not locate the point of diversion from Big Sheep Creek in the application, but stated it was on unsurveyed land. The former application locates the point of diversion within the NW¹/₄ Section 32 Twp. 4 S. Range 36E.

The filing by the Mountain Sheep Ditch Company covered the appropriation from Big Sheep Creek and all its tributaries crossed by the canal line, and it would appear if you intend to appropriate water from the streams crossed by the ditch that the application should be amended to cover such streams.

I would suggest that you tabulate the lands for which a new water right and a supplemental supply of water is required as per the inclosed form. We will be glad to hold the application until such time as other matters have been completed and the project approved.

Very respectfully,

Percy A. Copper,
State Engineer.

CIVIL ENGINEER

GEORGE H. BREWSTER
WATER MASTER NO. 4
ENTERPRISE, OREGON

6653

Nov. 10 1920

Mr Cupper
State Engineer
Salem Ore.

Dear Sir,

I am mailing you today the completed application and maps for the Mountain Sheep Irrigation District.

We would like to have you make the blue prints required by your office and also two extra sets which you may mail to me.

The new application changes the figures from the former one considerably and I do not know how the fees stand.

Please send a statement of the whole thing to Mr Schaupp at Joseph Ore. and oblige.

Very truly yours.

Geo H Brewster

Manely

6653

A. W. Schaupp
Attorney at Law
Joseph, Oregon

March, 11th, 1920.

Percy A. Cupper,
State Enginer,
Salem, Oregon.

Dear Sir:

Answering your letter of several days ago, relative to data of the Mountain Sheep Irrigation District, please be advised that I will be in shape to forward you the information asked for within a few days. This information will not be a complete engineering statement but will be sufficient for your needs. At the present time I am getting out information along this line for quite a few bond houses.

Very truly yours,

A. W. Schaupp

No reply

6653

November 17th, 1919.

Mr. A. W. Schaupp,
Joseph
Oregon.

Dear Sir:

Enclosed please find my official receipt No. 7100 for 50 cents, which amount was transmitted with your letter of the 14th for furnishing copy of application No. 6641. I am also in receipt of Petition and Notice of Election of an irrigation District.

We are today returning application No. 6641 to Chas. H. Reynolds as per the enclosed copy of our letter. Unless the Application is returned fully completed and acceptable maps are filed within thirty days the application will lose its priority date.

Trusting you will find this satisfactory, and that you will advise at any time we can be of service, I remain,

Yours very truly,

Percy A. Copper,

RS-R.

State Engineer.

* Permit No.....

APPLICATION FOR A PERMIT

To appropriate the Public Waters of the State of Oregon

I, Mountain Sheep Ditch Company
(Name of applicant)
of Joseph, County of Wallowa
(Postoffice)
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. March 10th, 1905.

1. The source of the proposed appropriation is Big Sheep Creek and its tributaries
(Name of stream)
Little Sheep Cr., tributary of Imnaha River

2. The amount of water which the applicant intends to apply to beneficial use is 100
cubic feet per second.

3. The use to which the water is to be applied is supplemental irrigation and domestic
(Irrigation, power, mining, manufacturing,
and stock use
domestic supplies, etc.)

4. The point of diversion is located near the Northwest corner of Section 32 in
(Give distance and bearing to section corner)
what would be if surveyed Township Four (4) South of Range 46 E.W.M. in
Wallowa County, Oregon,

being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ or thereabouts of Sec. 32, Tp. 4 S
(Give smallest legal subdivision) (No. N. or S.)

R. 46 E., W. M., in the county of Wallowa
(No. E. or W.)

5. The canal to be
(Main ditch, canal or pipe line)
miles in length, terminating in the _____ of Sec. _____, Tp. _____
(Smallest legal subdivision) (No. N. or S.)

R. _____, W. M., the proposed location being shown throughout on the accompanying map.
(No. E. or W.)

6. The name of the ditch, canal or other works is Mountain Sheep Ditch

DESCRIPTION OF WORKS

DIVERSION WORKS—

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

(b) Description of headgate Timber, 20x4 feet
(Timber, concrete, etc., number and size of openings)

CANAL SYSTEM—

8. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: Width on top (at water line).....16.....feet; width on bottom.....10.....feet; depth of water.....3.....feet; grade.....20 inches.....feet fall per one thousand feet.

(b) At.....4.....miles from headgate. Width on top (at water line).....16.....feet; width on bottom.....8.....feet; depth of water.....3.....feet; grade 20 inches.....feet fall per one thousand feet.

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

IRRIGATION—

9. The land to be irrigated has a total area of.....approximately 6000.....acres, located in each smallest legal subdivision, as follows:.....
(Give area of land in each smallest legal subdivision which you intend to irrigate)

The land under this extension of the Mountain Sheep Ditch is the same land as that shown under the mountain Sheep Ditch and the Mountain Sheep Reservoir and there will be additional land. The water to be taken from Big Sheep by this appropriation is simply to supplement the water now taken from Little Sheep Creek, through the Mountain Sheep Ditch and this application covers the supplemental supply and some additional land that has never been irrigated through the Mountain Sheep Ditch. It is not possible to give a description of all this land and thirty days additional time will be required to furnish same.

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

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

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

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

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

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

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

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

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

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

(h) The nature of the mines to be served.....

MUNICIPAL SUPPLY—

11. To supply the city of _____
_____, County, having a present population of _____, and an
(Name of)
estimated population of _____ in 191_____.

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

12. Estimated cost of proposed works, \$_____30,000.00_____.

13. Construction work will begin on or before_____August 1st, 1919_____.

14. Construction work will be completed on or before_____June 1st 1921_____.

15. The water will be completely applied to the proposed use on or before _____

_____June 21st 1922._____.

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

Mountain Sheep Ditch Company
(Name of applicant)

by

J. Knapp

President.

by

W. E. Leffel

Secretary

Signed in the presence of us as witnesses:

(1)

O. Hartman

(Name)

Joseph, Oregon

(Address of witness)

(2)

W. E. Leffel

(Name)

Joseph, Oregon

(Address of witness)

Remarks: Thirty days additional time is requested in which to furnish
the maps required by the State Water Board both as to the land
under the ditch and also of the proposed works.

STATE OF OREGON,

County of Marion,

} ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion, as follows: _____

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before _____, 191_____.

WITNESS my hand this _____ day of _____, 191_____.

State Engineer.

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

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

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

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

WITNESS my hand thisday of....., 191.....

State Engineer.

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

8

Application No. 6653

Permit No.

PERMIT

TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

Division No. District No.

This instrument was first received in the
office of the State Engineer at Salem, Oregon,
on the 23 day of JULY
1919, at 8:20 o'clock AM.

Returned to applicant for correction:

Corrected application received:

Approved:

Recorded in Book No. of

Permits, on Page

State Engineer:

Rec 200

October 28th, 1919.

Mr. A.W. Schaupp,
Attorney at Law,
Joseph, Oregon.

Dear Sir:

Upon taking up for approval application No. 6653, in the name of the Mountain Sheep Ditch Company, I find that the tracing does not bear the Certificate of a Surveyor. The maps indicate that the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30, T. 2 S.R. 46 E. should receive a water right, but this land is not covered by the application.

The application shows that the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 30 T. 2 S.R. 46 E. has been duplicated. According to our figures 4,070 acres of land will require a new water right instead of 4,120 acres, as stated in the tabulation. We find that 5,240 acres will require a supplemental supply instead of 5,520 acres.

If you wish us to approve this application in order to complete the construction work, we would be very glad to return the map and application for correction. The map should show the location of the point of diversion, with reference to some established section corner if possible, although I note this is unsurveyed land.

Trusting we may hear from you as to what action you desire taken in the matter, I am,

Very respectfully,

Percy A. Cupper,

RS-R.

State Engineer.

Map does not bear cert of Surveyor,

map indicates NE 1/4 Sec 30 T 28 R 46 E as irrigated,
not covered by application.

application shows duplicate for S 1/2 SW Sec 30
T 28 R 46 E under Sup. Supply.

4070 → 4120 9 1/2 = 5190

5240 3 3/4 = 5520 9 1/2 = 6440

6440 4070 = 2370
2370 9 1/2 = 2250
2250 45 = 2300

Applicati on No. 6653.

October 21, 1919.

Mr. A.W. Schaupp,
Attorney at Law,
Joseph, Oregon.

Dear Sir:

Enclosed please find my official receipt No. 7028 for \$77.20 which amount was transmitted with your letter of the 18th instant, together with application for permit to appropriate water to be substituted for application No. 6653, in the name of the Mountain Sheep Ditch Company. I am also in receipt of tracing. This application will be taken up for approval as soon as same can be reached and you will be further advised.

Very respectfully,

Percy A. Cupper,

State Engineer.

RS-R.
Enc.

A. W. Schaupp
Attorney at Law
Joseph, Oregon.

Oct 18th, 1919.

Mr. Percy A. Cupper
State Engineer
Salem, Oregon.

6653

66 53
OFFICE OF STATE ENGINEER
RECEIVED
OCT 21 1919
SALEM, OREGON.

Dear Sir:-

I am sending you under separate cover the map showing the lands to be irrigated under the Mountain Sheep Ditch, from Big Sheep Creek, under the filing made on July 23 1919, as per your instructions of that date allowing us until November 1st to complete the filing.

It was impossible to make an accurate map of the course of the original ditch as it runs about four miles through unsurveyed mountainous country and can probably not be located definitely until completed. As soon as possible we will send in a detailed map showing the surveyed traverse of the ditch, and other information that may be requested if that is necessary.

We are working on this ditch at present and are spending about \$300.00 per day at present and also organizing an irrigation district of the land under the ditch

I am also inclosing a check for \$77.20 in addition to the \$20.00 sent you formerly.

Very truly yours,

A. W. Schaupp

Recd app for 6653

1 Truss map

WALLOWA/PO

NOTICE OF INTEREST IN WATER RIGHT

NOV 04 1985

RECEIVED

To: Director of Water Resources
555 13th Street, N.E.
Salem, Oregon 97310

NOV 05 1985
WATER RESOURCES DEPT.
SALEM, OREGON

This is to notify you of an interest in the following described water right:

Loan Number

M-40413

Borrower's Name

Van Blaricom, Ervin

Mailing Address

Property being served by the water:

Township 3S

Township _____

Township _____

Range 45E

Range _____

Range _____

Section 13

Section _____

Section _____

Tract _____

Tract _____

Tract _____

Water Right Numbers:

Permit Number(s)

9397 6653
5335

IMNAAA River Dec
Findings Vol 10
P 329

Certificate Number(s)

9391 9397

9391

Irrigation District

116.6 Ac
Supp

116.6 Ac
prim

The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon, 97310.

11-5-85
DM

Attention: Butch Gehley, Appraisal Coordinator

Attachments:

- ☒ Legal Descriptions
☒ Tax Lot Maps
☐ Please return copy to ODVA

5335

Wallowa Valley Improv. Dist. No. 1,
Joseph - Oregon.

App. 6653

107.49 acrt from Big Sheep & trib. for irrig. &
supplemental supply for 8598.1 acres.

Feb. 2 - 1923

June 1 - 1925

Oct 1 - 1927 EXTENDED TO 10/1/29

3-5-23. Card for A
A + B filed.

5-12-23. acking A + B.

12-28-27. See letter enclosed

1-10-28. Extension granted

PERMIT No. 5335

Application for Extension of Time

FOR COMPLETE APPLICATION OF WATER

TO THE STATE ENGINEER OF OREGON:

I, S. H. Burligh, Secy., of Enterprise,
State of Oregon, do hereby certify:

That I am the owner and holder of Permit No. 5335 to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, complete application of water was required to have been made by Oct. 1, 1927

That I have heretofore made application of water under said permit to the following extent:

Practically all of land irrigated

That I am unable to make the complete application of water within the required time, for the following reasons, to wit:

WHEREFORE, I ask that the State Engineer extend the time for the complete application of water under said permit to Oct. 1, 1929

Wallowa Valley Improvement Dist. #1.
Signature of Applicant

Date of receipt at office of State Engineer Jan. 10, 1928

APPROVAL OF STATE ENGINEER

I, Rhea Luper, State Engineer of Oregon, hereby extend the time for the complete application of water under Permit No. 5335 to appropriate the public waters of the state of Oregon to Oct. 1, 1929

Witness my hand this 10th day of January, 1928

Rhea Luper
State Engineer

*J. H. Burlingame, Secy-
Enterprise, Oreg.*

December 28, 1927.

Mr. Ralph W. Feit,
Secretary, Wallowa Valley Improvement Dist. #1,
Joseph, Oregon.

Dear Sir:

I wish to again call your attention to the fact that the time limit for complete application of water under Permit No. 5335, which covers the appropriation of 107.49 second feet of water from Big Sheep Creek and tributaries, expired on October 1st, 1927. I wrote you on October 20th and enclosed a blank for use of the district in making an application for an extension of this time limit.

For the protection of the district I believe you should give this matter consideration and if all of the land has not been irrigated the application for an extension of time should be submitted. As the matter now stands the permit will become subject to cancellation on January 1st. A new blank for making an application for an extension will be furnished in case you have misplaced the one previously sent to you.

Yours very truly,

Rhea Luper,
State Engineer.

LAS:H

October 20, 1927

Mr. Ralph W. Feit, Secretary
Wallowa Valley Improvement District No. 1,
Joseph, Oregon

Dear Sir:

We have recently had a letter from Mrs. Homer E. Cullison of Meridian, Idaho, stating that all of her land in your irrigation district has not yet been irrigated and asking that she be granted an extension of time. It is probable that there is land other than hers which has not yet been irrigated and that the district should make application for the extension of the time limit for complete application of water which expired on October 1st.

In case you wish to make such an application it may be submitted on the enclosed blank.

Yours very truly,

Encl.
LAS:GHB

Rhea Luper,
State Engineer

August 3, 1926

Lewis A. Stanley
Water Master
Enterprise, Oregon

Dear Mr. Stanley:

Replying to your letter of July 30, relative to the status of permit no. 5335, held by the Willowa Valley Improvement District No. 1, you are advised that the time for completion of construction on this project expired on June 1, 1925, and then for the complete application of the water to the proposed use will expire on October 1, 1927.

No extensions of time have been applied for nor granted. Trusting that this gives you the desired information, I am.

Yours respectfully

Rhea Luper
State Engineer

RL FK

LEWIS A. STANLEY
Water Master

RHEA LUPER
State Engineer
Salem

WATER DISTRICT NO. 4

STATE OF OREGON

Enterprise, Oregon

July 30, 1926.

STATE ENGINEER
RECEIVED

JUL 31 1926

SALEM, OREGON

Mr. Rhea Luper,
Salem, Oregon.

Dear Sir:

One of the land holders in the Wallowa Valley Improvement District No. 1 has requested me to find out the present status of Permit No. 5335. She wants to know whether or not the time limit for complete application of water has been extended, and if so the date of the new limit.

Very respectfully,

Lewis A. Stanley.

WATER MASTER DIST. NO. 4.

LAS/S

*construction work
to be completed
on or before June 1, 1925*

*appl. of water to
proposed use Oct. 1, 1927.*

*no extension
of time*

PERMIT NO. 5335.

March 12th, 1923.

Mr. A. W. Schaupp,
Joseph,
Oregon.

Dear Sir:

I am in receipt of your letter of March 10th transmitting notices of beginning and completion of construction under Permit No. 5335, in the name of the Wallowa Valley Improvement District No. 1, and the same has been placed on file.

Very respectfully,

Percy A. Cupper,
State Engineer.

RJS-LA

A. W. SCHAUPP

ATTORNEY-AT-LAW

JOSEPH, OREGON

Mar. 10th, 1923.

STATE ENGINEER
RECEIVED

MAR 12 1923

SALEM.

OREGON

Mr. Percy A. Cupper,
State Engineer,
Salem, Oregon.

Dear Sir:

Upon returning to Joseph from my visit in the east, I find your notice stating that no notice of the beginning or completion of construction has been filed in your office by the Mountain Sheep Irrigation District.

I am handing you herewith both the notice of beginning and the notice of completion of the construction of the ditch from Big Sheep to Little Sheep Creek. While the entire project has not been completed the work on the ditch from Big Sheep to Little Sheep Creek was completed October 1st, 1922, and I am making my return accordingly.

Very truly yours,

A. W. Schapp

AWS:FA

March 21st, 1922.

Mr. A. W. Schaupp,
Joseph,
Oregon.

Dear Sir:

In reply to your letters of March 17th, I am enclosing a certified copy of Application No. 6653, Permit No. 5335, in the name of the Wallowa Valley Improvement District No. 1. You will note that the permit was issued on February 2nd, and that I have certified the permit including blueprint copies of the maps, and I trust this will meet the requirements of the Commissioner of the General Land Office for securing right of way.

There is no provision in the statute for the issuance of permit by the State Water Board, or the approval of permits, but permits are issued in accordance with Section 5723, Oregon Laws. It would be difficult to secure a meeting of the State Water Board at this time, and I can see no reason for the State Water Board passing a resolution authorizing the acceptance of the survey as the survey is accepted by the State Engineer when the permit is issued.

The fee provided by law for furnishing this data amounts to \$4.50. I am returning herewith the certified copy of the application, together with the letter from the Register of the Land Office at La Grande.

I would be glad to furnish any further information in case this is unsatisfactory, but I am sure the Land Office has granted rights of way in numerous cases on a showing of this character.

Very respectfully,

Percy A. Cupper,
State Engineer.

RJS:R
Enclosure.

A. W. SCHAUPP

ATTORNEY-AT-LAW

JOSEPH, OREGON

March 17th,
1922

STATE ENGINEER
RECEIVED
MAR 22 1922
SALEM, OREGON

Mr. Percy A. Cupper,
State Engineer,
Salem, Oregon.

Dear Sir:

Since writing you relative to the certified copy of the approved water right, I have looked into the decision of the Commissioner further and I notice the following:

"The date of acceptance of the survey as the definite location of the canal cannot be prior to the date of the completion of the survey thereof, (October 23rd, 1920). Where the Board of Control has not passed the resolution authorizing the acceptance of the survey, a resolution passed subsequent to the date of this letter, and acceptance of the survey in compliance therewith, will meet the requirements of this office in regard thereto."

I take from this decision that it will be necessary for the State Water Board to pass a resolution authorizing the acceptance of the survey. If I remember correctly the map of the survey is on file in your office, and if you will have a resolution passed accepting this survey and send me a certified copy of the resolution it will assist me a great deal in completing this application.

Very truly yours,

AWS:FA

A. W. Schupp

665 3-5 335

NOTICE OF BEGINNING OF CONSTRUCTION

I, Wallowa Valley Improvement Dist No. 1, the holder of Application No. 6653, being
 Permit No. 5335, issued by the State Engineer of the State of Oregon
 (Reservoir or Enlargement) for the appropriation of 107.49 second-feet of the waters of Big Sheep and tributaries
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
 began the actual construction of the works described therein on the 20th day of July, 19 20,
 being within the time limitation as fixed in said permit for the beginning of construction work.
 The plan of construction is to build a ditch 4½ miles in length from
 The appropriator should state the manner of beginning construction work, number of men and teams employed, the amount of work completed up to the date of this
Big Sheep Creek to Little Sheep Creek, 14 feet wide on the bottom,
with a depth of 18 inches on the lower side from the level of the
 statement, and any additional information which may tend to show the beginning of work in good faith.
soil

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of August, 19 20,
Mountain Sheep Irrigation District
 (Present Address) by [Signature] (Signature of Applicant) Secy.

Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of March, 19 22,
Wallowa Valley Improvement Dist. # 1
 by [Signature] (Signature of Applicant) Secy.
 (Present Address)
 Fill out, detach, and mail to the Secretary, State Water Board, Salem, Oregon.
 allowed for completion.

Remarks: The ditch constructed has a width at the bottom of 14 ft and
 the lower side is 18 inches below the level of the soil.
 If the works have a less capacity than as described in the permit, or you have definitely abandoned your plan of irrigating any of the lands described
 in your permit, you should so state in order that our records may not be unnecessarily encumbered.

have completed the construction of the works described therein the 1st day of Oct., 19 22,
 being within the time limitation as fixed in said permit or extended by the State Water Board for the
 completion of construction work.

for the appropriation of 107.49 second-feet of the waters of Big Sheep and Tributaries
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
 Permit No. 5335, issued by the State Engineer of the State of Oregon
 (Reservoir or Enlargement) for the appropriation of 107.49 second-feet of the waters of Big Sheep and Tributaries
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
 began the actual construction of the works described therein the 1st day of Oct., 19 22,
 being within the time limitation as fixed in said permit or extended by the State Water Board for the
 completion of construction work.

I, Wallowa Valley Imp. Dist No. 1, the holder of Application No. 6653, being
 Permit No. 5335, issued by the State Engineer of the State of Oregon
 (Reservoir or Enlargement) for the appropriation of 107.49 second-feet of the waters of Big Sheep and Tributaries
 in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
 began the actual construction of the works described therein the 1st day of Oct., 19 22,
 being within the time limitation as fixed in said permit or extended by the State Water Board for the
 completion of construction work.

NOTICE OF COMPLETION OF CONSTRUCTION

Form B

RETURN RECEIPT. 5335

Received from the Postmaster the Registered or Insured Article, the original
 number of which appears on the face of this Card.

Board of Directors Wallowa Valley
Irrigation District
 (Signature or name of addressee.)

Jesse E. Dalton
 (Signature of addressee's agent.)

Date of delivery, _____, 192

Form 3811

GOVERNMENT PRINTING OFFICE

c 5-6116

Township 25,

Range 45 &.[illegible]

Scale of Feet.

FROM OFFICE OF THE STATE ENGINEER, SALEM, OREGON

Township 25, Range 46.

	6		5		4		3		2		1	
	7		8		9		10		11		12	
	18		17		16		15		14		13	
	19		20		21		22		23		24	
40	40	39	25									
40	40	29	25									
40	40	11	10.8									
40	40	30		29	29	27	26	25				
40	40	12										
40	40	22	14.3									
40	40	6.2	3.8	8								
40	40	17.4	25.2	22								
40	40	31	8.2	32	33	34	35	36				
40	40	15	40									
40	40	11	34.8	12.2								
40	40	23	34	1								



FROM OFFICE OF THE STATE ENGINEER, MALEM, OREGON

Township 38, Range 46

[illegible]

FROM OFFICE OF THE STATE ENGINEER, SALEM, OREGO

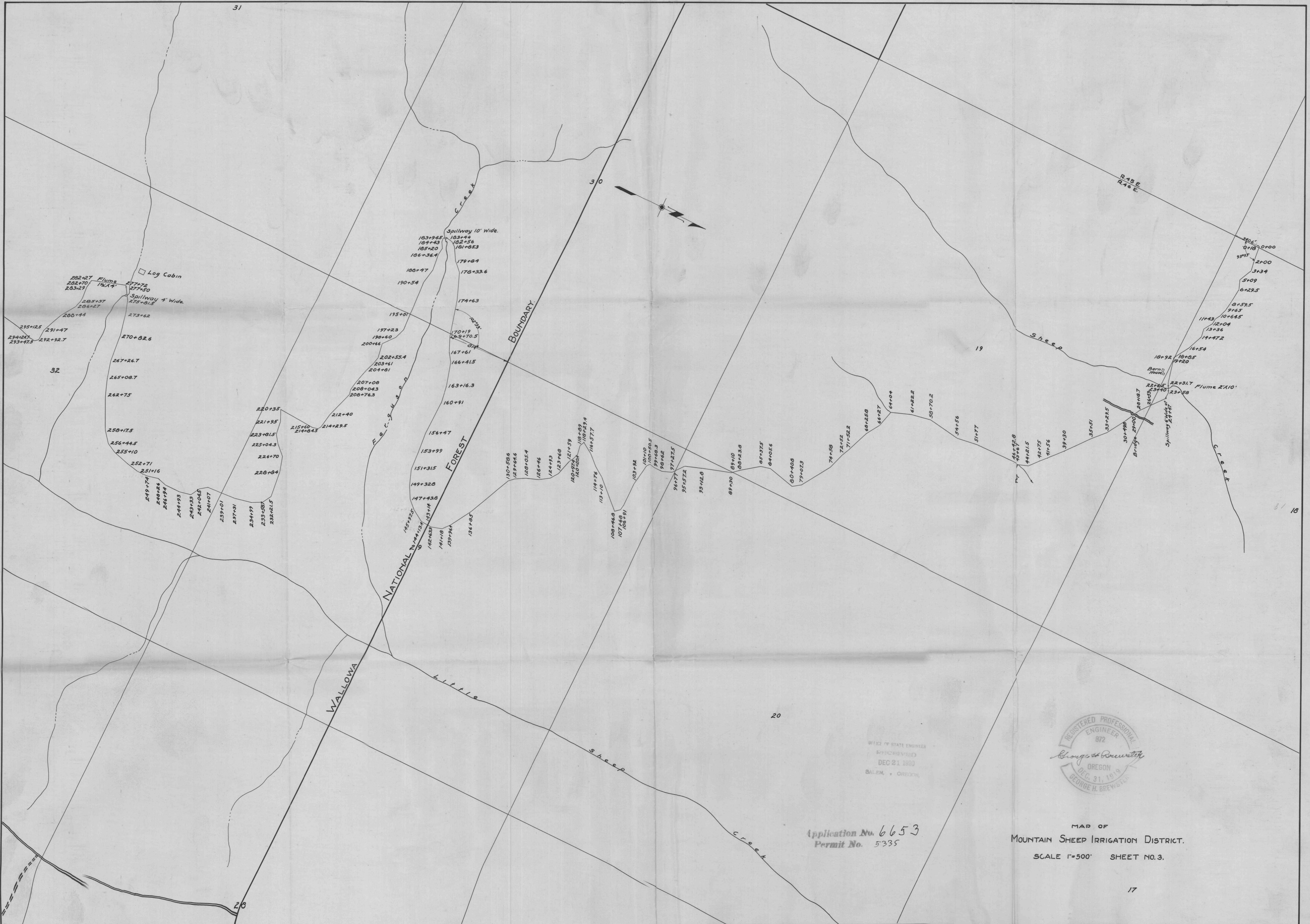
Scale of Feet.

Township 35,

Range 45[illegible]

Scale of Feet.

FROM OFFICE OF THE STATE ENGINEER, SAJ. EM. OREGO

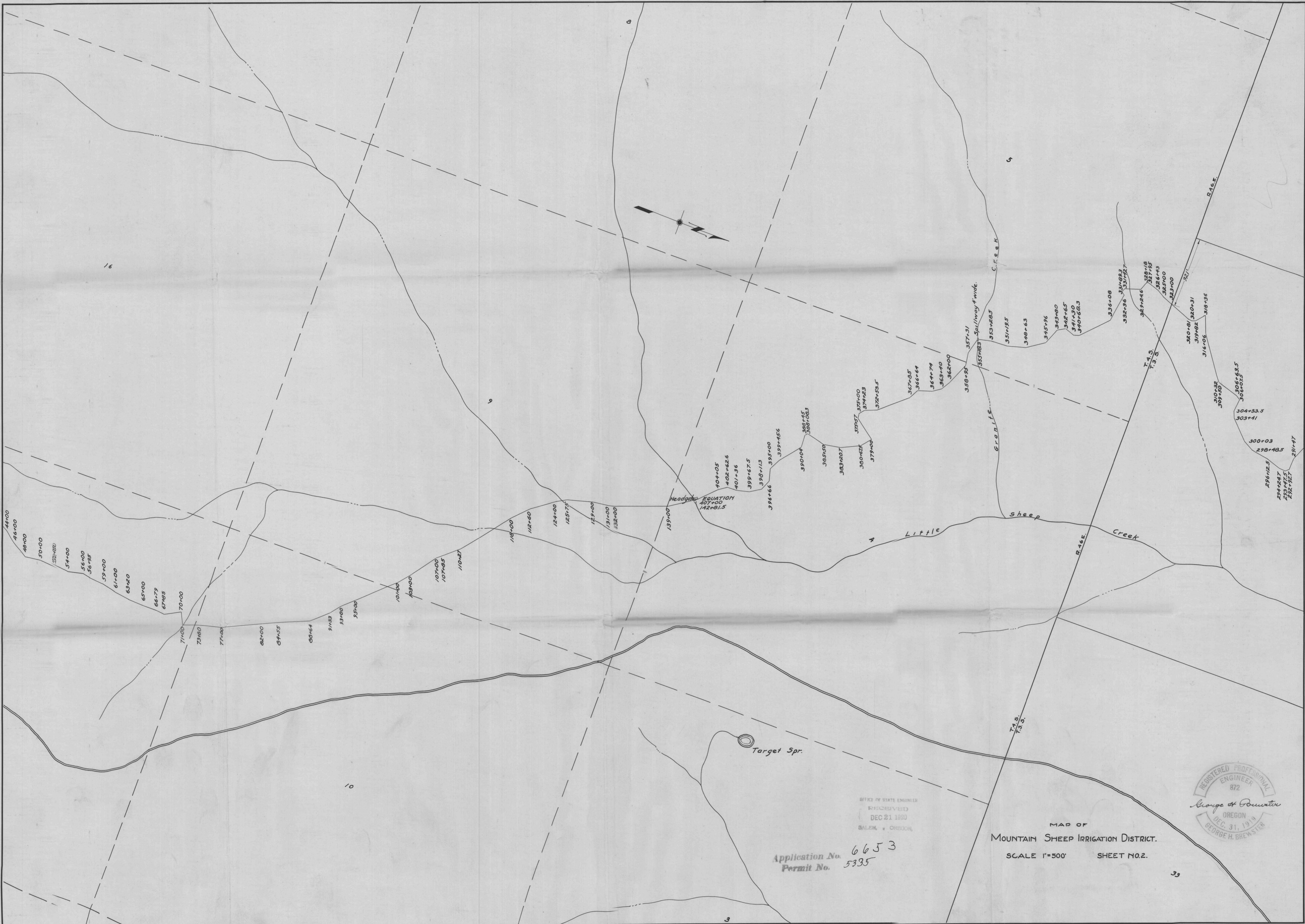


OFFICE OF STATE ENGINEER
RECEIVED
DEC 21 1900
SALEM, OREGON



Application No. 6653
Permit No. 5335

MAP OF
MOUNTAIN SHEEP IRRIGATION DISTRICT.
SCALE 1"=500' SHEET NO. 3.

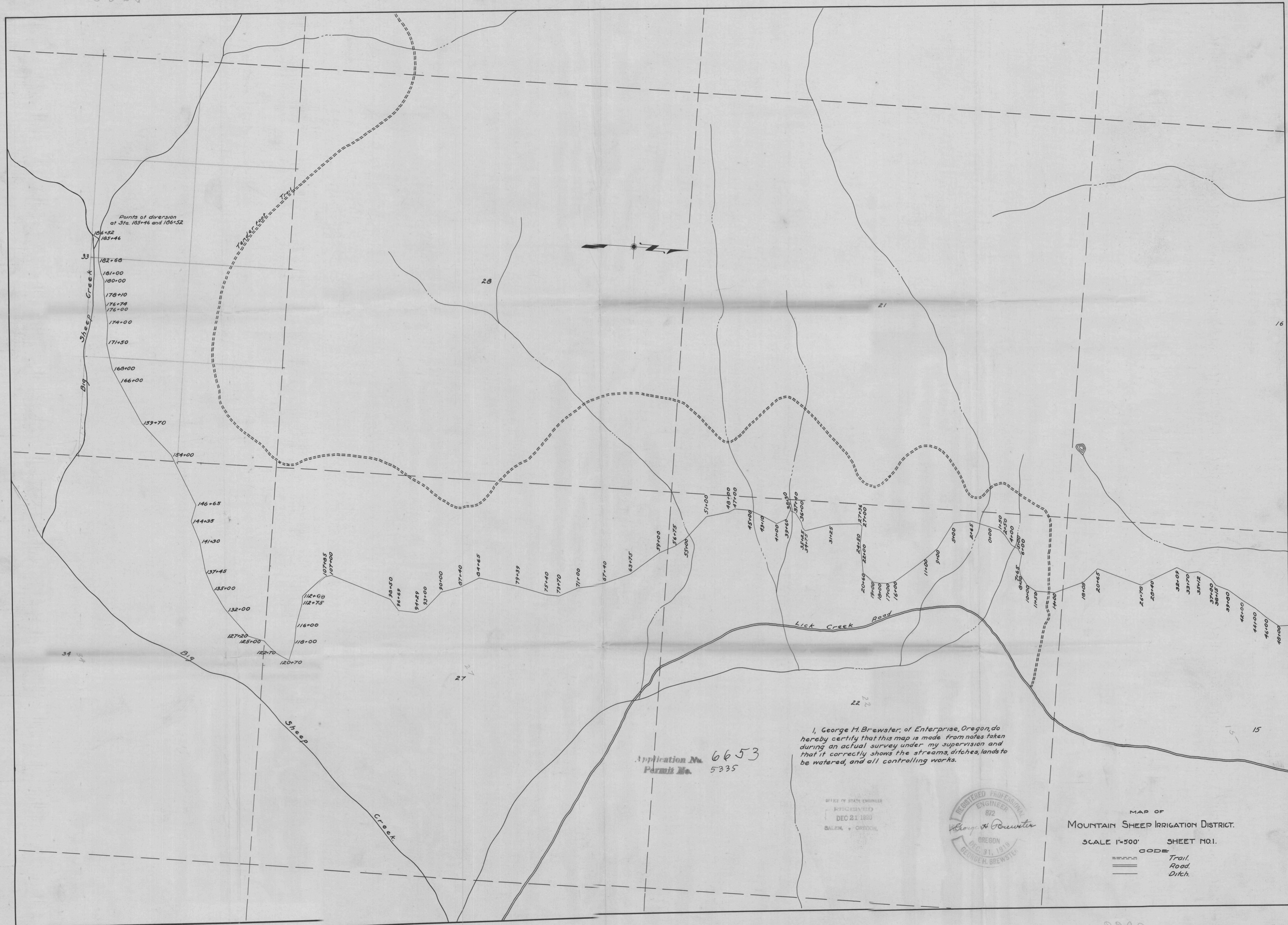


Application No. 6653
Permit No. 5335

OFFICE OF STATE ENGINEER
RECEIVED
DEC 21 1910
SALEM, OREGON

MAP OF
MOUNTAIN SHEEP IRRIGATION DISTRICT.
SCALE 1"=500' SHEET NO.2.





Application No. 6653
Permit No. 5335

I, George H. Brewster, of Enterprise, Oregon, do hereby certify that this map is made from notes taken during an actual survey under my supervision and that it correctly shows the streams, ditches, lands to be watered, and all controlling works.

OFFICE OF STATE ENGINEER
REGISTERED
DEC 21 1930
SALEM, OREGON



MAP OF
MOUNTAIN SHEEP IRRIGATION DISTRICT.
SCALE 1"=500' SHEET NO. 1.
CODE
--- Trail.
--- Road.
--- Ditch.

10
10
10

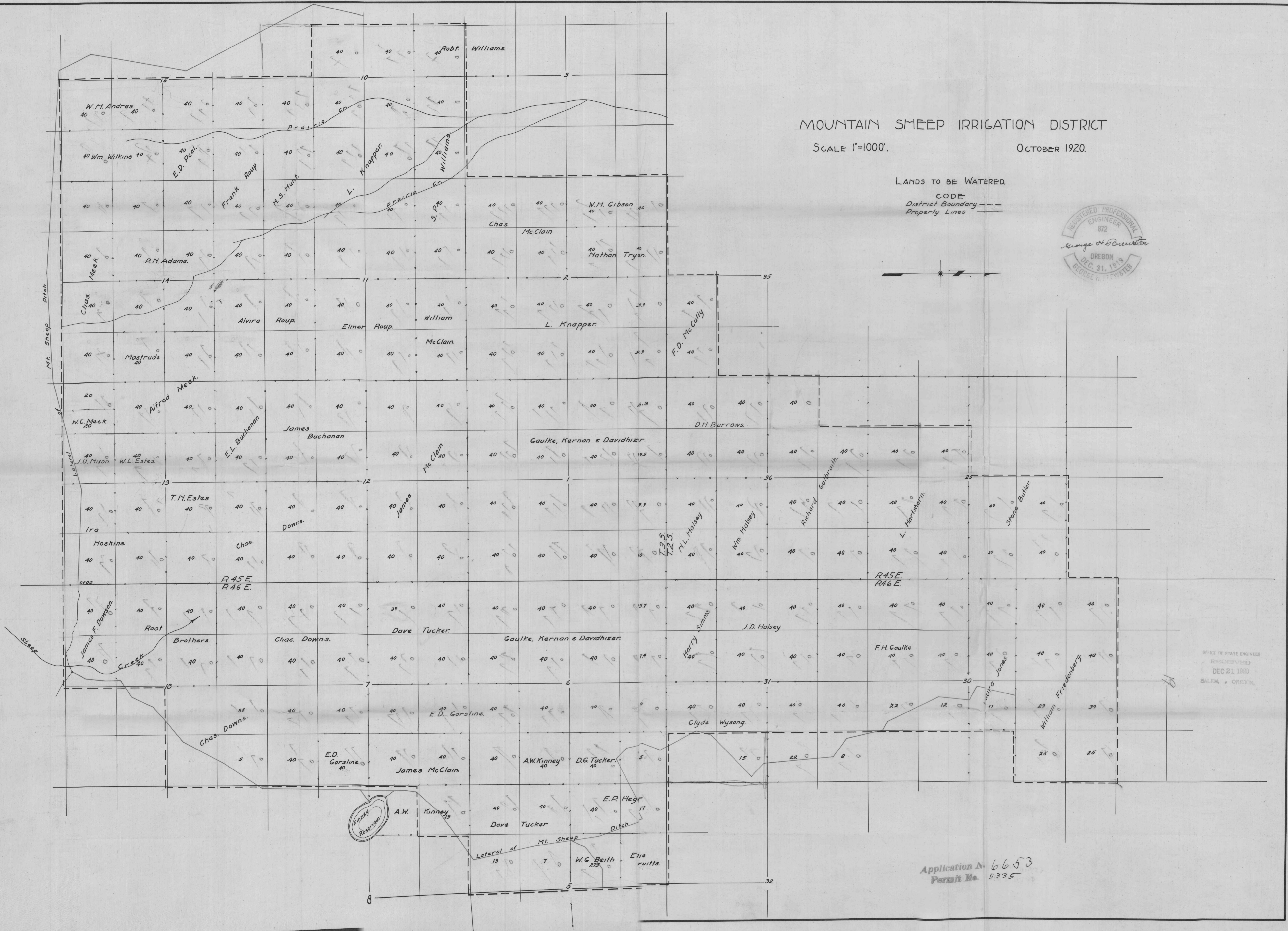
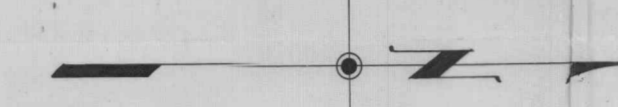
MOUNTAIN SHEEP IRRIGATION DISTRICT

SCALE 1"=1000'

OCTOBER 1920.

LANDS TO BE WATERED.

CODE
District Boundary ---
Property Lines ---



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SALEM, OREGON

Application No. 6653
Permit No. 5335