

# MONEY SLIP

<b>DATE:</b> <u>3-18-2021</u>	<b>RECEIPT #:</b> <u>134773</u>
-------------------------------	---------------------------------

<b>RECEIVED FROM:</b> <u>D Rahn Hostetter</u> <u>Rebecca Hostetter</u>	<b>APPLICATION</b>
	<b>PERMIT</b>
	<b>TRANSFER</b>

<b>CASH</b>	<b>CHECK #</b>	<b>OTHER (IDENTIFY)</b>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>TOTAL REC'D</b> \$ <u>1,110.00</u>
	<u>6547</u>		

<b>1083 TREASURY</b>	<b>4170 MISC CASH ACCT.</b>
----------------------	-----------------------------

0407	COPIES	\$
_____	OTHER: (IDENTIFY) _____	\$

0243 Instream Lease \_\_\_\_\_      0244 Muni. Water Mgmt. Plan \_\_\_\_\_      0245 Cons. Water \_\_\_\_\_

<b>1083 TREASURY</b>	<b>4270 WRD OPERATING ACCT.</b>
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**MISCELLANEOUS**

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE (IDENTIFY) _____	\$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$
0240	EXTENSION OF TIME _____	\$

**WATER RIGHTS**

0201	SURFACE WATER	<b>EXAM FEE</b>		<b>RECORD FEE</b>
		\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$		

**WELL CONSTRUCTION**

0218	WELL DRILL CONSTRUCTOR	<b>EXAM FEE</b>		<b>RECORD FEE</b>
		\$	0219	\$
	LANDOWNER'S PERMIT		0220	\$
_____	OTHER (IDENTIFY) _____			

<b>0607 TREASURY</b>	<b>0467 HYDROELECTRIC</b>
----------------------	---------------------------

0233	POWER LICENSE FEE (FW/WRD)	
0231	HYDRO LICENSE FEE (FW/WRD)	<b>LIC NUMBER</b>
		\$
_____	HYDRO APPLICATION	\$

**SPECIAL INSTRUCTIONS:**

RETURN TO APPLICANT -- LETTER ATTACHED

# Application for a Permit to Use Surface Water



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
503-986-0900  
www.oregon.gov/OWRD

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## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant

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NAME D.Rahn Hostetter and Rebecca Hostetter		PHONE (HM) (541) 426-4584	
PHONE (WK)	CELL	FAX (541) 426-3281	
ADDRESS 62369 Wallowa Lake Hwy			
CITY Joseph	STATE OR	ZIP 97846	E-MAIL * rahn.hostetter@gmail.com

### Organization

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

Note: Attach multiple copies as needed

\* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.



I (we) affirm that the information contained in this application is true and accurate

Applicant Signature

Applicant Signature

D. Rahn Hostetter

Print Name and Title if applicable

Rebecca Hostetter

Print Name and Title if applicable

3/12/21

Date

3/12/21

Date

**SECTION 2: PROPERTY OWNERSHIP**

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

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- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

**Affected Landowners:** List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Wallowa Lake Irrigation District  
 65196 Dobbin Rd.  
 Joseph, OR 97828

**Legal Description:** You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

**SECTION 3: SOURCE OF WATER**

**A. Proposed Source of Water**

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: WALLOWA LAKE RESERVOIR PERMIT R347	Tributary to: WALLOWA RIVER
TRSQQ of POD: T3S R45 E SEC5 NENW W.M.	
Source 2:	Tributary to:
TRSQQ of POD:	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

**B. Applications to Use Stored Water**

Do you, or will you, own the reservoir(s) described in Section 3A above?

Yes.  No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

#### SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply: [https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

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#### Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

Yes  No

**If yes, you are notified** that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

**If yes,**

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by

Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.

- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

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**Lower Columbia - OAR 690-033-0220 thru -0230**

Is the POD located in an area where the Lower Columbia rules apply?

Yes  No

**If yes, you are notified** that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

**If yes, provide the following information** (the information must be provided with the application to be considered complete).

Yes  No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

**If yes, provide a description of the measures to be taken to assure reasonably efficient water use:**

**Statewide - OAR 690-033-0330 thru -0340**

Is the POD located in an area where the Statewide rules apply?

Yes  No

**If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.**

**SECTION 5: WATER USE**

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):  
*(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)*

SOURCE	USE	PERIOD OF USE	AMOUNT
WALLOWA LAKE PERMIT R347	DOMESTIC EXPANDED	YEARROUND	1.5 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 0.25 Acres Supplemental: \_\_\_\_\_ Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):  
 \_\_\_\_\_

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 1.5

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: 2
- If the use is **mining**, describe what is being mined and the method(s) of extraction: \_\_\_\_\_

**SECTION 6: WATER MANAGEMENT**

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**A. Diversion and Conveyance**

What equipment will you use to pump water from your source?

- Pump (give horsepower and type): 1 Hp Jacuzzi B1S41014-S2
- Other means (describe): \_\_\_\_\_

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Pump house and intake have been in Wallowa Lake for many years.  
of the irrigation season.

**B. Application Method**

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

HIGH PRESSURE SPRINKLERS AND HOME

**C. Conservation**

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

WATER IS PUMPED DIRECTLY FROM STORED WATER IN WALLOWA LAKE RESERVOIR TO SPRINKERS

**SECTION 7: RESOURCE PROTECTION**

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.  
Describe planned actions: SCREEN ON PUMP INTAKE

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.  
**Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.**  
Describe planned actions and additional permits required for project implementation: \_\_\_\_\_

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation: \_\_\_\_\_

Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
Describe planned actions: \_\_\_\_\_

List other federal and state permits or contracts to be obtained, if a water right permit is granted.  
\_\_\_\_\_

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**SECTION 8: PROJECT SCHEDULE**

- a) Date construction will begin: ALREADY COMPLETED
- b) Date construction will be completed: ALREADY COMPLETED
- c) Date beneficial water use will begin: AS SOON AS PERMIT ISSUED

**SECTION 9: WITHIN A DISTRICT**

Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name WALLOWA LAKE IRRIGATION DISTRICT	Address 65196 DOBBIN RD	
City JOSEPH	State OR	Zip 97846

**SECTION 10: REMARKS**

Use this space to clarify any information you have provided in the application. (Attach additional sheets if necessary).  
THIS AREA HAS BEEN IRRIGATED FOR YEARS FROM A PUMP IN THE LAKE, LOCAL WATERMASTER RECOMMENDED APPLYING FOR A RIGHT TO USE STORED WATER

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**EXHIBIT A**

**App. Number:** \_\_\_\_\_

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**Tract 1**

The real property in Wallowa County, Oregon described as follows:

That part of Government Lot 4, Section 5, Township 3 South, Range 45 East of the Willamette Meridian lying South of the Joseph-Wallowa Lake Highway right of way and North of the natural ordinary high water line of Wallowa Lake.

EXCEPTING THEREFROM all that portion of Lot 4, Section 5, which lies South and West of the Wallowa River as conveyed by instruments recorded in Book 36 of Deeds, Pages 219, 221, 222, 223, and 224.

EXCEPTING THEREFROM that certain tract heretofore conveyed to the United States of America as shown by Deed recorded in Book 37 of Deeds, Page 543.

ALSO EXCEPTING any portion lying within the right of way of Joseph-Wallowa Lake highway,

**Tract 2**

Lot Three, in Section Five, Township 3 South, Range 45 East of the Willamette Meridian, Wallowa County, Oregon, lying south of the LaGrande-Wallowa Highway and between said Highway and the high water line of Wallowa Lake.

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**EXHIBIT B**

App. Number \_\_\_\_\_

All of Lot 13 of Wahluna Terrace, Wallowa County, Oregon, according to the amended plat thereof on file and of record in the Office of the County Clerk of said County and State, in Book 2 of Plats, pages 29 and 31.

# Land Use Information Form



**Oregon Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 503-986-0900  
 www.oregon.gov/OWRD

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**Applicant**

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NAME WILLIAM NEWTON		PHONE (HM) 503-444-9311	
PHONE (WK)	CELL	FAX 541-426-3281	
ADDRESS 5146 JEAN RD			
CITY LAKE OSWEGO	STATE OR	ZIP 97034	E-MAIL*

**A. Land and Location**

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
3S	45E	5	NENW	700	R-2	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR&DOM
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

WALLOWA COUNTY

**B. Description of Proposed Use**

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water   
  Water Right Transfer   
  Permit Amendment or Groundwater Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

Source of water:  Reservoir/Pond   
 Groundwater   
 Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: .05   
 cubic feet per second   
 gallons per minute   
 acre-feet

Intended use of water:  Irrigation   
 Commercial   
 Industrial   
 Domestic for 2 household(s)  
 Municipal   
 Quasi-Municipal   
 Instream   
 Other \_\_\_\_\_

Briefly describe:

SEEKING APPLICATION TO PUMP WATER FROM WALLOWA LAKE RESERVOIR



**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

## For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

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Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Article 18 W.C.L.D.O.

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Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

NAME FRANZ GOEBEL	TITLE: DIRECTOR
SIGNATURE 	PHONE: 541-426-4543
GOVERNMENT ENTITY WALLOWA COUNTY PLANNING DEPARTMENT	DATE: 11-14-2019

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

**Receipt for Request for Land Use Information**



Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_



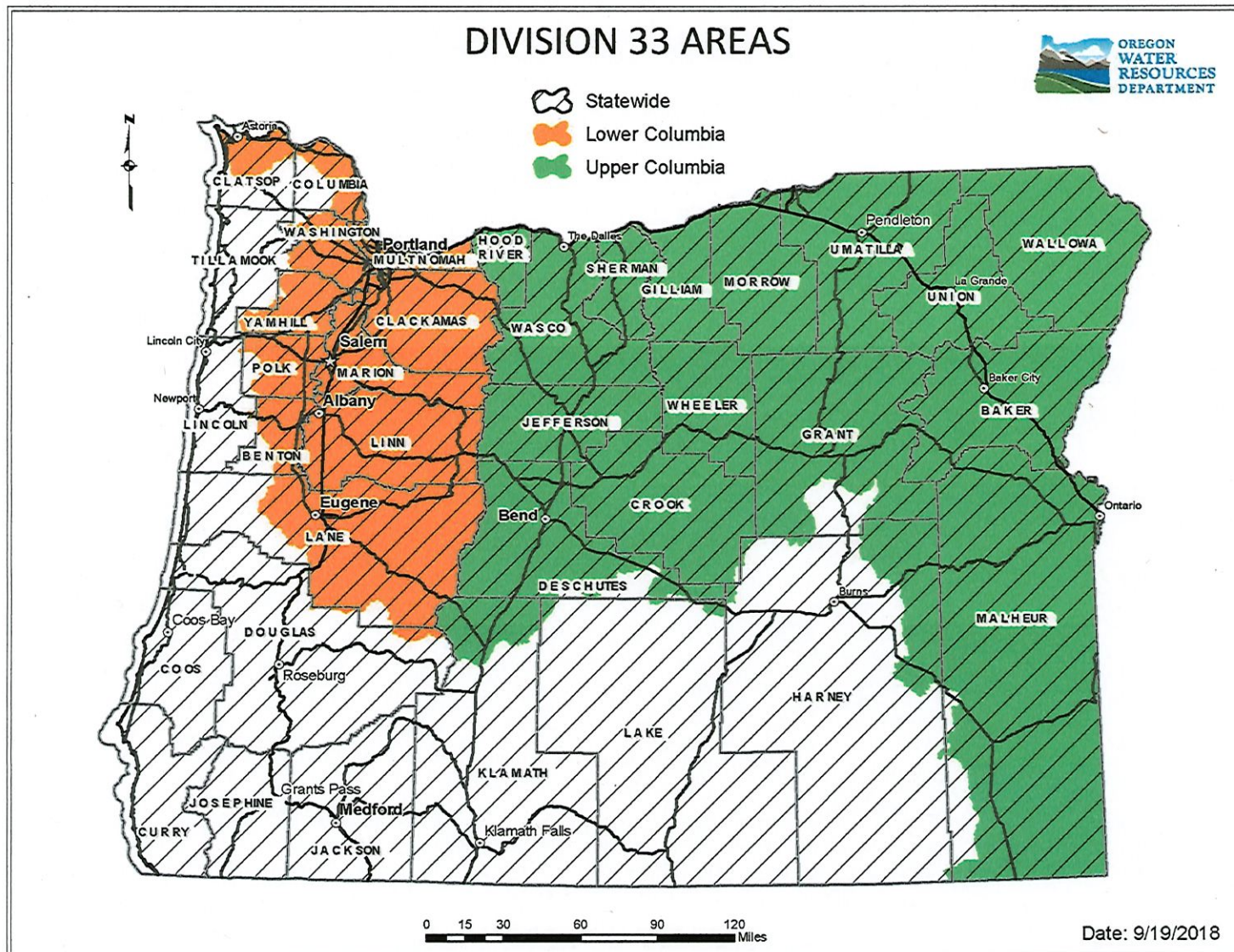
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Figure 1: Map of Division 33 Areas



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For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the Division 33 rules apply: [https://apps.wrd.state.or.us/apps/misc/lkp\\_trsqq\\_features/](https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/)

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2S 45E

32 SWSE

Reference Corner:  
South 1/4 Corner Section 32,  
T2S R45E W.M.

House (Domestic Use)

0.20 acres POU, TL 700

5

3S 45E

POD: 1078' South & 44' West  
from the South Corner Section 32,  
T2S R45E W.M.

Approximate  
Location of  
Pipeline

stream gage (historic)

Wallowa River

Wallowa Lake











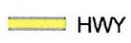
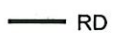
EDGEWATER RD

JOSEPH-WALLOWA LAKE HWY

**LOT 700 Newton Application Map: Domestic & 0.20 acre irrigation, Source: Wallowa Lake Reservoir**

Map Disclaimer:  
This product is for informational purposes  
and may not have been prepared for, or be suitable  
for legal, engineering, or surveying purposes. Users of  
this information should review or consult the  
primary data and information sources to ascertain  
the usability of the information.  
This map is not intended to display property lines

Disclaimer: This listing is the result of a manual search of the records of the Watermaster's Plat Cards and the  
WRIS database. The listing has not been field checked. That a right is of record is no guarantee that it has not  
been abandoned under the conditions of ORS 540.610. The plat card records of listed by the 40.0 acre quarter-  
quarter within a section. If the water right listed within a quarter-quarter is on more than one tax lot, this office has  
not itemized that water rights for each tax lot - only a survey could accurately depict how much of the water rights  
are on each tax lot.

-  POU\_TL700
-  TL700
-  D7\_TWP
-  D7\_SEC
-  D7\_QQ
-  Stream, perennial
-  Stream, intermittent
-  Canal
-  Connector
-  Lake
-  HWY
-  RD



Scale 1in=400ft



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Silver Lake Ditch Company } 38752  
to  
Wahluna Terrace }

KNOW ALL MEN BY THESE PRESENTS, that the Silver Lake Ditch Company, a corporation, in consideration of the sum of \$25.00 to be paid annually to the said corporation, by the residents of Wahluna Terrace, in Wallowa County, Oregon, does hereby give and grant unto the said residents of Wahluna Terrace, the right and privilege of installing in Wallowa Lake such pipes and pumps as will enable said residents of Wahluna Terrace to supply their respective premises with water for domestic uses, said waters so used by said residents to be a part of the surface waters in Wallowa Lake Reservoir belonging to the said Silver Lake Ditch Company. No warranty of the supply of water is made by the said Silver Lake Ditch Company.

IN TESTIMONY WHEREOF, the President and the Secretary of said corporation under authority of a resolution adopted by its Board of Directors on May 24, 1949, have hereunto signed the name of the corporation and affixed its corporate seal, this 10th day of August, 1951.

Silver Lake Ditch Company

By S. O. Richards  
Its President

and Max Wilson  
Its Secretary

seal

State of Oregon }  
County of Wallowa } SS.

On this 10th day of August, 1951, before me, the undersigned, a Notary Public in and for the said County and State, appeared S. D. Richards and Max Wilson both to me personally known, who being duly sworn, did say that he, the said S. D. Richards is the President and he, the said Max Wilson, is the Secretary of the Silver Lake Ditch Company, the within named corporation, and that the seal affixed to said instrument is the corporate seal of said corporation, and that the said instrument was signed in behalf of said corporation by authority of its Board of Directors and said S. D. Richards and Max Wilson acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and Notarial seal the day and year last above written.

M. Keith Wilson  
Notary Public for Oregon  
My commission expires November 20, 1953

seal

Recorded August 11th, 1951 at 10:23 a. m., Marjorie Martin, County Clerk

By Marjorie Martin Clerk

Gene Arnold, et ux } 38755  
to  
A. R. Jennings, et ux } W. D.

Know All Men by These Presents, That we, Gene Arnold and Fern Arnold, husband and wife, in consideration of ten dollars and other valuable considerations to us paid by A. R. Jennings and Helen Jennings, husband and wife have bargained and sold, and by these presents do grant, bargain, sell and convey unto said A. R. Jennings and Fern Jennings, husband and wife, as entirety tenants, their heirs and assigns, all the following bounded and described real property, situated in the County of Wallowa and State of Oregon:

Lot 10 and the north ten feet of Lot 9, in Block 11, of the Town of Joseph, Wallowa County, Oregon, as shown by the plat thereof on file and of record in the office of the county clerk of said county and state

I. R. S. \$2.75 cancelled

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all our estate, right, title and interest in and to the same, including dower and claim of dower.

TO HAVE AND TO HOLD, the above described and granted premises unto the said A. R. Jennings and Helen Jennings, husband and wife, and unto each an entirety their heirs and assigns forever. And we, the grantors above named do covenant to and with the above named grantees their heirs and assigns that we are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances, and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

Reservoir Permit No. 347

ABSTRACT MADE

CERTIFICATE NO. 9310

APPLICATION FOR A PERMIT TO CONSTRUCT A RESERVOIR  
AND TO STORE FOR BENEFICIAL USE THE  
UNAPPROPRIATED WATERS OF THE STATE OF OREGON

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Dobbin Ditch Co.

I, Dobbin Ditch Co. (Name of Applicant)  
of Joseph (Postoffice), Wallowa County of Wallowa  
State of Oregon

do hereby make application for a permit to construct the following described reservoir and to store the unappropriated waters of the State of Oregon, subject to existing rights.

If the applicant is a corporation, give date and place of incorporation  
Aug. 10, 1900, Joseph, Or.

1. The name of the proposed reservoir is Eagle Cap Reservoir

2. The name of the stream from which the reservoir is to be filled and the appropriation made is Wallowa River

3. The amount of water to be stored is 100,000 acre feet. to be diverted under secondary Application No. 4401, Permit No. 2696 and supplemental supply

4. The use to be made of the impounded water is Irrigation, Power & Domestic for lands already having a partial water right (Irrigation, power, domestic supply, etc.)

5. The location of the proposed reservoir will be in Sec. 4 - 5 and 8 - 9 - 16 - 17 - 20 and 21 Township 3 S R 45 E.W.M. (Give sections or townships to be submerged)

(a) State whether situated in channel of running stream and give character of material at outlet  
Wallowa Lake

(b) If not in channel of running stream, state how it is to be filled. If through a feed canal, give name and dimensions

6. The dam will be located in NW 1/4 NW 1/4, Sec. 5 (Smallest legal subdivision)

\*A different form of application should be used for the appropriation of stored water to beneficial use. Such forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.



Remarks: .....

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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: .....  
Bal. of fees \$5.00, maps & Secondary application .....

In order to retain its priority, this application must be returned to the State Engineer, with corrections, on or before July 20 19 15.

WITNESS my hand this 20th day of June, 1915.  
John H Lewis  
RJS 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: .....  
The right under this permit is limited to the storage of 100,000 acre feet for Irrigation, domestic use, power, and a supplemental supply for the irrigation of 14,106 acres of land already having a partial water right, to be diverted under secondary Application No. 4401 Permit No. 2696.

The priority date of this permit is January 9, 1915  
Actual construction work shall begin on or before November 13, 1916

and shall thereafter be prosecuted with reasonable diligence and be completed on or before June 1, 1917 EXTENDED TO 1/120 - 1/16

WITNESS my hand this 13th day of November, 1915.  
John H Lewis  
State Engineer.

Application No. 4057

Reservoir Permit No. 347

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PERMIT

TO CONSTRUCT A RESERVOIR AND STORE FOR BENEFICIAL USE THE UNAPPROPRIATED WATERS OF THE STATE OF OREGON

Division No. 2 District No.

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 9 day of January, 1915, at 1:00 o'clock P.M.

Returned to applicant for correction June 20, 1915

Corrected application received July 20, 1915

Approved Nov. 13, 1915

Recorded in Book No. 24 of Reservoirs on

Page 347

John H Lewis

State Engineer.

1 map RS \$8.00