

BEFORE THE STATE ENGINEER OF OREGON

Baker County

IN THE MATTER OF THE ORDER)
APPROVING THE APPLICATION OF)
W. R. HAWLEY AND BROOKS)
HAWLEY FOR A CHANGE IN POINT)
OF DIVERSION AND PLACE OF USE)
OF WATER FROM POWDER RIVER.)
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O R D E R

On December 14, 1946, the State Engineer entered an order approving an application of W. R. Hawley and Brooks Hawley for a change in point of diversion and place of use of water from Powder River wherein the water rights appurtenant to 9.51 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 6.81 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10, Township 10 South, Range 37 East, W. M., 17.84 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 10.91 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 17.16 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, 21.30 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 10 South, Range 37 East, W. M., with a date of priority of February 16, 1886, and served through Duckworth Ditch; 3.02 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 11, served through the Tibbs Ditch, with a date of priority of 1892; 1.77 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 11, served through the Scott Ditch, with a date of priority of 1892; 5.89 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 12.27 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, Township 10 South, Range 37 East, W. M., served through the Hawley Ditch, with a date of priority of 1886; were severed therefrom and simultaneously, and without loss of priority, transferred to 5.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 10.0 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 10 South, Range 37 East, W. M., 30.0 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 25.0 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, 7.0 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 7.0 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, Township 10 South, Range 37 East, W. M., 10.0 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 2.5 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 9.98 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3, Township 10 South, Range 37 East, W. M.; and changed the point of diversion for the irrigation of said lands to the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32, Township 9 South, Range 37 East, W. M. Certificates of water right recorded at pages 4069 and 4207, Volume 5, State Record of

Water Right Certificates, cover the irrigation of lands in addition to those involved in the transfer. Under the provisions of the order, application of water to beneficial use was to have been made on or before October 1, 1948, or within such extension of time as may be granted by the State Engineer for good cause shown. Time was extended from time to time, the last extension expiring on October 1, 1952.

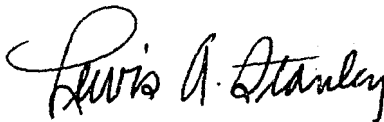
Mr. C. O. Bartels, a representative of the State Engineer, inspected the premises on August 28, 1953, and found that no irrigation works had been constructed nor had any of the lands involved been irrigated.

The time having expired and none of the lands to which water was transferred having been reclaimed and irrigated, certificates of water right recorded at pages 4069 and 4207, Volume 5, State Record of Water Right Certificates, should be canceled and two new certificates issued in lieu thereof covering all of the remaining lands not involved in this proceeding.

NOW, THEREFORE, it hereby is ORDERED that certificates of water right recorded at pages 4069 and 4207, Volume 5, State Record of Water Right Certificates, be and the same hereby are canceled and that two new certificates be issued in lieu thereof covering the balance of the lands.

Dated at Salem, Oregon, this 7th day of March, 1960.

Cert. #4069 and #4207
Cancelled and Superseded
by Cert. #26683 & #26682
Noted on Decree Vol. 6 p. 372, 395



LEWIS A. STANLEY
State Engineer

See Sp. Or. Vol. 5 p. 315

See also Trsf. "H-41"