

2897 Charles K. Kelley
Box 333
Lakeview Ore. 97630

2897

STATUS OF APPLICATION

Change in Place of Use
Date filed Sept. 10, 1973
Date of hearing _____
Place of hearing _____
Date of order 1-2-74 Vol. 24, page 25
Date for application of water 10-1-74
Proof mailed _____
Proof received _____
Certificate issued MAY 24 1974 Vol. 32, page 40388

NOV 28 1977 Vol. 37 pg. 44975

DESCRIPTION OF WATER RIGHT

Name of stream Crane Creek
Trib. of _____ County of Lake
Use Irrigation
Quantity of water _____ No. of acres 10²
Name of ditch Venator ditch
Date of priority 1869, April 1
In name of Edna R. Vanderpool
Crane & Kelly Creeks Adjudication, Vol. 11, page 369
App. No. _____ Per. No. _____ Cert. No. 10608
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>9-10-73</u>	<u>25.00</u>	<u>36513</u>
TOTAL . . .	<u>3.00</u>	
<u>12-7-73</u>	<u>Cert. Fee</u>	<u>37706</u>

FEES REFUNDED

Date	Amount	Check No.

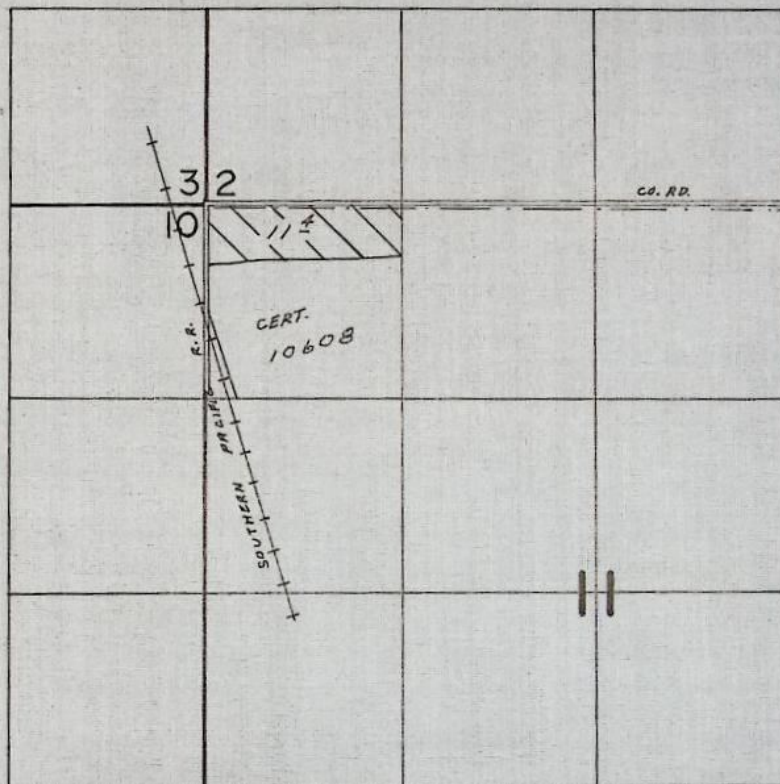
REMARKS

proof mailed 11-2-76
form 130 sent 1-4-77

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
_____	Name		<u>WH</u>	_____
_____	Stream		<u>WH</u>	_____
_____	Pt. of Div.			_____
_____	Calendar		<u>WH</u>	_____
CHECKED TO RECORDS:				
<u>/</u>	Twp. & Rge.		<u>WKE</u>	_____
<u>/</u>	Decree-vault		<u>WKE</u>	_____
<u>/</u>	Decree-safe		<u>WKE</u>	_____
_____	Cert. of W/R		<u>WKE</u>	_____
_____	Per. Folder			_____
_____	Chainindex			_____
_____	Cross Ref.			_____
_____	Power Claim			_____
_____	Abstracts			_____

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T.40S. R.20E. W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER NO. 2897

Application No. _____ Permit No. _____
IN NAME OF

CHARLES K. KELLEY

Surveyed JUL. 9, 1975, by L.H. NUNN

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That EDNA R. VANDERPOOL

of Lakeview, State of Oregon, has a right to the use of
the waters of Crane Creek,
for the purpose of Irrigation of ^{180.3}~~190.3~~ acres, domestic and stock use,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Lake County, and the said decree entered of record at Salem, in the Order
Record of the STATE ENGINEER, in Volume 11, at page 421; that the priority
of the right thereby confirmed dates from April 1, 1869;

DIV. PT. NW 1/4 NW 1/4 Sec 12 T40S R20E W.M.

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed three-fourths acre foot
per acre during any 30-day period prior to June 1st, and one-half acre foot per
acre during any 30-day period after June 1st of each year; and two and one-half
acre feet per acre during any irrigation season; to be diverted under a head of
not to exceed one-fortieth of a second foot per acre.

A description of the lands irrigated under such right, and to which the water is appurtenant
(or, if for other purposes, the place where such water is put to beneficial use), is as follows:

20.5 acres in NW 1/4 NE 1/4
34.5 acres in SW 1/4 NE 1/4
30.0 ~~40.0~~ acres in NE 1/4 NW 1/4
26.4 acres in NW 1/4 NW 1/4
28.9 acres in SW 1/4 NW 1/4
40.0 acres in SE 1/4 NW 1/4

Section 11;

Township 40 South, Range 20 East, W.M.

An order of the State Engineer entered Jan 2 1974, approves a change
in Place of use for the irrigation of 10.0 acres. This certificate is
issued to confirm the remaining right and supersedes the certificate heretofore
issued to Edna R. Vanderpool and recorded at page 10,608 State Record of
Water Right Certificates.

AND said right shall be subject to all other conditions and limitations
contained in said Decree.

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

WITNESS the signature of the State Engineer,

affixed this 15th day
of November, 1973.

CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 10, page 10,608

BEFORE THE STATE ENGINEER OF OREGON

Lake County

IN THE MATTER OF THE APPLICATION
OF CHARLES K. KELLEY FOR THE APPROVAL
OF A CHANGE IN PLACE OF USE OF WATER
FROM CRANE CREEK

ORDER APPROVING
TRANSFER NO. 2897

On September 10, 1973, Charles E. Kelley filed an application in the office of the State Engineer for the approval of a change in place of use of water from Crane Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Lake County, Oregon, entered April 7, 1932, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Crane Creek and Kelley Creek and their Tributaries, a water right was established in the name of Edna R. Vanderpool for the use of the waters of Crane Creek for the irrigation of, among other lands, 10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11, Township 40 South, Range 20 East, W.M., with a date of priority of April 1, 1869, as evidenced by certificate of water right recorded at page 10608, Volume 10, State Record of Water Right Certificates.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority to 10 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11, Township 40 South, Range 20 East, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

Mr. Howard Daggett, Watermaster of District No. 12, has filed a statement to the effect that the proposed change in place of use of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11, Township 40 South, Range 20 East, W.M., with a date of priority of April 1, 1869, be severed therefrom and simultaneously and without loss of priority transferred to 10 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11, Township 40 South, Range 20 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1974.

It is FURTHER ORDERED that certificate of water right heretofore issued to Edna R. Vanderpool and recorded at page 10608, Volume 10, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding, and upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use, a certificate of water right shall be issued to Charles K. Kelley confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 2nd day of January 1974.

/s/ CHRIS L. WHEELER
State Engineer