

3015

STATUS OF APPLICATION

Change in ~~additional~~ *point of diversion*  
 Date filed *4-8-74*  
 Date of hearing *June 17, 1975*  
 Place of hearing *Baker, Oregon*  
 Date of order *7-16-75* Vol. *26*, page *21*  
 Date for application of water *10-1-76*  
 Proof mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Certificate issued *AUG 30 1976* Vol. *35*, page *43541*  
*MAY 19 1978* *38 Survey 2/45594*

DESCRIPTION OF WATER RIGHT

Name of stream *Sand Creek*  
 Trib. of \_\_\_\_\_ County of *Baker*  
 Use *irrigation*  
 Quantity of water \_\_\_\_\_ No. of acres *56.0*  
 Name of ditch *Coles*  
 Date of priority *April 28, 1881*  
 In name of *Edw. W. Coles*  
*Powder River* Adjudication, Vol. *6*, page *373*  
 App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. *4073*  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

REMARKS

FEES PAID

Date	Amount	Receipt No.
<i>4-8-74</i>	<i>31.50</i>	<i>39439</i>
<i>7-22-74</i>	<i>40.00 P.O.N.</i>	<i>42180</i>
TOTAL . . .	<i>4.00</i>	
<i>5-22-75</i>	Cert. Fee	<i>42120</i>

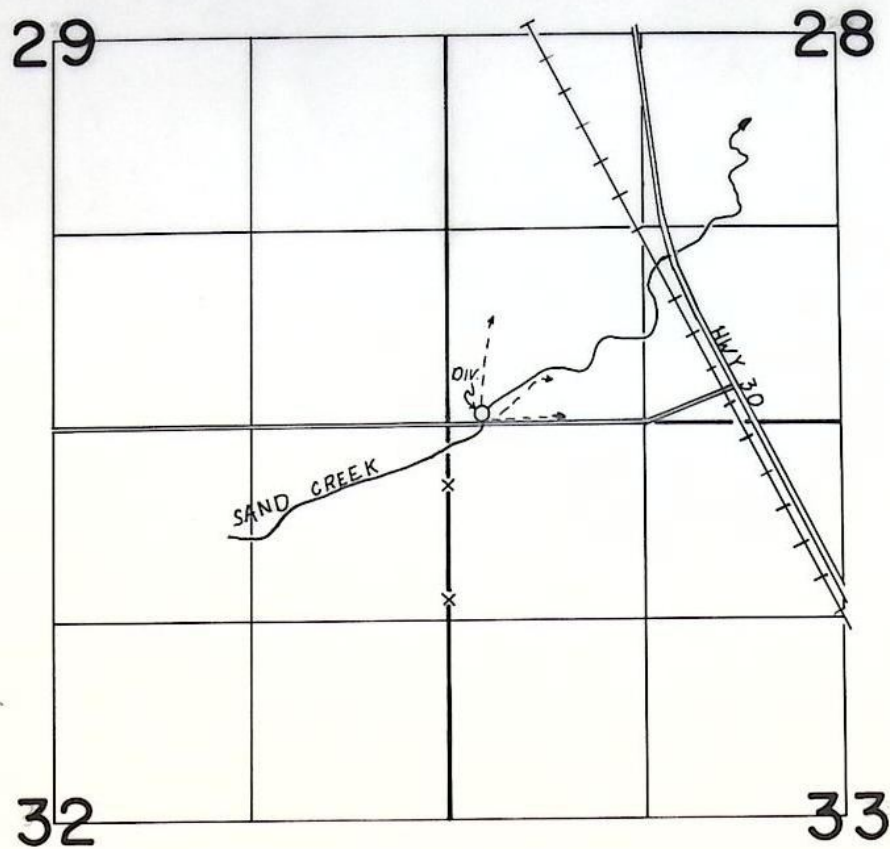
FEES REFUNDED

Date	Amount	Check No.
<i>5-22-75</i>	<i>15.35</i>	<i>6344</i>
<i>FROM 3015 P.O.N. Rec. # 42120</i>		

INDEX CARDS:		Entered	Checked
<input checked="" type="checkbox"/>	Name	<i>NP</i>	_____
<input checked="" type="checkbox"/>	Stream	<i>NP</i>	_____
<input checked="" type="checkbox"/>	Pt. of Div.	<i>NP</i>	_____
<input checked="" type="checkbox"/>	Calendar	<i>NP</i>	_____
CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Twp. & Rge.	<i>NP</i>	_____
<input checked="" type="checkbox"/>	Decree-vault	<i>NP</i>	_____
<input checked="" type="checkbox"/>	Decree-safe	<i>NP</i>	_____
<input checked="" type="checkbox"/>	Cert. of W/E	<i>NP</i>	_____
<input type="checkbox"/>	Per. Folder	_____	_____
<input type="checkbox"/>	Chainindex	_____	_____
<input type="checkbox"/>	Cross Ref.	_____	_____
<input type="checkbox"/>	Power Claim	_____	_____
<input type="checkbox"/>	Abstracts	_____	_____



T.7S.,R.39E.,W.M.



DIV: 30' N 250' E FROM SW COR. SEC. 29

**FINAL PROOF SURVEY**  
UNDER

Transfer No. 3015  
Application No. .... Permit No. ....  
IN NAME OF

.....L. M. INGRAM.....

Surveyed JUNE 24, 1976, by C.R. KING.....

## STATE OF OREGON

## COUNTY OF BAKER

## CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EDWARD W. COLES  
HAINES, OR 97833

confirms the right to use the waters of ROCK CREEK, SAND CREEK, AND POWDER RIVER, tributaries of the SNAKE RIVER, for IRRIGATION of 551.5 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Baker County. The decree is of record at Salem, in the Order Record of the Water Resources Director, in Volume 6, at Page 291. The dates of priority are July 1880 for 100.0 acres and 1890 for 175.0 acres in Tract 1, 1900 for 86.0 acres in Tract 2, 1880 for 127.0 acres in Tract 3, April 28, 1881 for 11.5 acres in tract 4, and 1906 for 52.0 acres in tract 5.

The amount of water to which this right is entitled, and hereby confirmed for the purposes described, is limited to the amount actually beneficially used and shall not exceed ONE-FORTIETH of one cubic foot per second per acre or the equivalent in case of rotation.

The point of diversion is located as follows:

TWP	RNG	MER	SEC	LOT	1/4	1/4	LOCATION
7	S	39	E	W.M.	31		NW NE

A description of the place of use to which this right is appurtenant is as follows:

TRACT	SOURCE	TWP		RNG		MER	SEC	LOT	1/4	1/4	ACRES
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	20		SW	SW	38.2
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	20		SE	SW	39.1
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	20		SW	SE	38.2
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	20		SE	SE	7.3
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	28		NW	NW	8.2
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	28		SW	NW	9.9
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	29		NE	NE	29.6
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	29		NW	NE	40.0
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	29		SW	NE	40.0
TRACT 1	ROCK CREEK	7	S	39	E	W.M.	29		SE	NE	24.5



TRACT	SOURCE	TWP		RNG		MER	SEC	LOT	1/4	1/4	ACRES
TRACT 2	SAND CREEK	7	S	39	E	W.M.	28		NW	NE	13.0
TRACT 2	SAND CREEK	7	S	39	E	W.M.	28		SW	NE	34.0
TRACT 2	SAND CREEK	7	S	39	E	W.M.	28		SE	NE	25.0
TRACT 2	SAND CREEK	7	S	39	E	W.M.	28		NE	SW	14.0
TRACT 3	SAND CREEK	7	S	39	E	W.M.	28		NW	NE	21.0
TRACT 3	SAND CREEK	7	S	39	E	W.M.	28		SW	NE	6.0
TRACT 3	SAND CREEK	7	S	39	E	W.M.	28		NE	NW	40.0
TRACT 3	SAND CREEK	7	S	39	E	W.M.	28		SE	NW	40.0
TRACT 3	SAND CREEK	7	S	39	E	W.M.	28		NE	SW	20.0
TRACT 4	SAND CREEK	7	S	39	E	W.M.	28		NE	SW	6.0
TRACT 4	SAND CREEK	7	S	39	E	W.M.	28		NW	SW	4.1
TRACT 4	SAND CREEK	7	S	39	E	W.M.	28		SW	SW	0.4
TRACT 4	SAND CREEK	7	S	39	E	W.M.	28		SE	SW	1.0
TRACT 5	POWDER RIVER	7	S	39	E	W.M.	27		NW	NW	4.0
TRACT 5	POWDER RIVER	7	S	39	E	W.M.	27		SW	NW	31.0
TRACT 5	POWDER RIVER	7	S	39	E	W.M.	28		NW	NE	4.0
TRACT 5	POWDER RIVER	7	S	39	E	W.M.	28		SE	NE	13.0

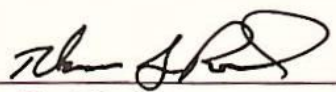
This certificate is issued to correct scrivener's errors contained in the certificates recorded at pages 72175 and 72177 of the State Record of Water Right Certificates. This certificate supersedes Certificates 72175 and 72177.

This certificate describes that portion of the water right confirmed by Certificate 43541, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on March 25, 1996, and recorded in Special Order Volume 50, Page 194, approving a petition by James P. Ingram under ORS 541.329.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for 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.

WITNESS the signature of the Water Resources Director, affixed MAY 13 2003.

  
Paul R. Cleary



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Baker County

IN THE MATTER OF THE APPLICATION  
OF L. M. INGRAM FOR THE APPROVAL  
OF A CHANGE IN POINT OF DIVERSION  
OF WATER FROM SAND CREEK

ORDER APPROVING  
TRANSFER NO. 3015

On April 8, 1974, L. M. Ingram filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from Sand Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Baker County, Oregon, entered March 18, 1918, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Powder River and its Tributaries, a water right was established in the name of Edward W. Coles for the use of the waters of Sand Creek for the irrigation of, among other lands, 15.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 34.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , and 7.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 28, Township 7 South, Range 39 East, W.M., with a date of priority of April 28, 1881, as evidenced by certificate of water right recorded at page 4073, Volume 5, State Record of Water Right Certificates. These lands are irrigated by means of the Coles Ditch from a point of diversion located 1000 feet South and 1320 feet West from the Northeast corner of Section 31, being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 31, Township 7 South, Range 39 East, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 20 feet North and 400 feet East from the Southwest corner of Section 28, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 28, Township 7 South, Range 39 East, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely: at the



county courthouse in Baker, Oregon, on June 17, 1975, at 9:30 a.m. The notice was published in the Baker Record-Courier, a newspaper printed and having general circulation in Baker County, Oregon, for a period of three weeks in the issues of April 24, May 1 and May 8, 1975. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. V. Kent Searles, Watermaster of District No. 8, has filed a report to the effect that the proposed change in point of diversion of water may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed change in point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from Sand Creek, to wit:

From a point located 1000 feet South and 1320 feet West from the Northeast corner of Section 31, being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 31, Township 7 South, Range 39 East, W.M.

To a point to be located 20 feet North and 400 feet East from the Southwest corner of Section 28, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 28, Township 7 South, Range 39 East, W.M.

for the irrigation of 15.0 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 34.0 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , and 7.0 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 28, Township 7 South, Range 39 East, W.M., with a date of priority of April 28, 1881, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1976.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion, and shall not exceed 1.4 cubic feet per second.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed:



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 the general supervision of said watermaster.

It is FURTHER ORDERED that certificate of water right heretofore issued to Edward W. Coles and recorded at page 4073, Volume 5, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the right not involved in this proceeding. Upon receipt of proof satisfactory to the Water Resources Director of completion of the authorized change in point of diversion, a certificate of water right shall be issued to L. M. Ingram confirming the change in point of diversion.

Dated at Salem, Oregon, this 16th day of July, 1975.

JAMES E. SEXSON  
Director



BEFORE THE STATE ENGINEER OF OREGON

Baker County

IN THE MATTER OF THE PARTIAL)  
CANCELATION OF A WATER RIGHT)  
IN THE NAME OF EDW. W. COLES)  
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O R D E R

On January 11, 1963, Mr. Sterling Green submitted an affidavit that the Haines Cemetery Maintenance District is the owner of a portion of a certain water right and of the following described lands to which their portion of the right is appurtenant:

"Beginning at the northeast corner of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  and running due west 800 feet; thence due south 250 feet; thence due east 800 feet; thence due north 250 feet to the place of beginning; of Section 21, Township 7 South, Range 39 East, W. M., in Baker County, Oregon, containing 4.59 acres more or less."

that they have abandoned any and all interest in and to the water right appurtenant to the above described property and request the same be canceled.

The water right in question is a part of that established by the decree of the Circuit Court for Baker County, Oregon, entered March 18, 1913, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Powder River and its Tributaries, for the irrigation of 4.59 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 21, Township 7 South, Range 39 East, W. M., with a date of priority of 1890, which right is evidenced by certificate of water right issued to Edw. W. Coles and recorded at page 4073, Volume 5, State Record of Water Right Certificates.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 1/40th cubic foot per second per acre for the irrigation of 100 acres with a date of priority of July, 1880, and 328.41 acres with a date of priority of 1890, from the waters of Rock Creek through the George Case and Osborn Ditch, described as follows:



40 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$   
 40 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$   
 40 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$   
 38 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$   
 Section 20,  
 35.41 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$   
 Section 21,  
 40 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$   
 Section 28,

38 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$   
 Section 28,  
 37 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$   
 40 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$   
 40 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$   
 40 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$   
 Section 29,  
 Township 7 South,  
 Range 39 East, W.M.

127 acres with a date of priority of 1880 from the waters of Sand Creek,  
 through the Cole No. 2 Ditch, described as follows:

21 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$   
 6 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$   
 40 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$   
 Section 28,

40 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$   
 20 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$   
 Section 28,  
 Township 7 South,  
 Range 39 East, W.M.

171 acres with a date of priority of April 28, 1881, from the waters of  
 Sand Creek, through the Coles ditch, described as follows:

6 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$   
 37 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$   
 40 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$   
 8 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$   
 Section 28,

40 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$   
 40 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$   
 Section 29,  
 Township 7 South,  
 Range 39 East, W.M.

86 acres with a date of priority of 1900, from the waters of Sand Creek,  
 through the Cole No. 1 ditch, described as follows:

13 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$   
 34 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$   
 25 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$   
 Section 28,

14 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$   
 said Section 28,  
 Township 7 South,  
 Range 39 East, W.M.

and 52 acres with a date of priority of 1906 from the waters of Powder River,  
 through the Christensen-Toney Coles Ditch, described as follows:

4 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$   
 31 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$   
 Section 27,  
 4 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$   
 Section 28,

13 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$   
 said Section 28,  
 Township 7 South,  
 Range 39 East, W.M.

is not in question.

ORS 540.621 provides that: "Whenever the owner of a perfected and  
 developed water right certifies under oath to the State Engineer that the  
 water right has been abandoned by him and that he desires cancelation thereof,  
 the State Engineer shall enter an order canceling the water right."



NOT RECORDED IN BOOK 1, PAGE 247  
TO ORDER TO THE STATE ENGINEER  
SECTION 21  
TO ORDER TO THE STATE ENGINEER

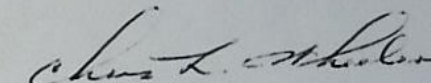
NOW, THEREFORE, it hereby is ORDERED that the right to the use of the water from Rock Creek with a date of priority of 1890 for the irrigation of 4.59 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 21, Township 7 South, Range 39 East, W. M., is canceled.

Dated at Salem, Oregon, this 3rd day of September, 1963.

*Noted on Decree*

*Vol. 6 p. 373*

*Cert. 11 4073*



CHRIS L. WHEELER  
State Engineer



## STATE OF OREGON

Superseded by

Cert. No. 43541

COUNTY OF BAKER

Sp. Or. V. 26 p. 21  
(7-3015)

## CERTIFICATE OF WATER RIGHT

This is to Certify, That

L. M. Ingram~~EDW. W. COLES~~

RA 1 Box 124  
of Haines, State of Oregon has a right to the use of

the waters of Rock Creek and Sand Creek, tributaries of Powder River

for the purpose of the irrigation of 56.0 ~~869~~ acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Baker County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 6 at page 291; ~~that the priority of the right thereby confirmed dates from 1880 for 100 acres; 1880 for 100 acres; 1900 for 86 acres; 1880 for 127 acres; April 28, 1881 for 171 acres and 1906 for 52 acres~~

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 1/40 of one cubic foot per second per acre; ~~and shall be subject to all other conditions and limitations contained in said decree~~

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:  
 40 acres in the Southwest quarter of Southwest quarter; 40 acres in the Southeast quarter of Southwest quarter; 40 acres in the Southwest quarter of Southeast quarter and 38 acres in the Southeast quarter of Southeast quarter of Section Twenty: 40 acres in the Southwest quarter of Southwest quarter of Section Twenty-one: 40 acres in the Northwest quarter of Northwest quarter and 38 acres in the Southwest quarter of Northwest quarter of Section Twenty-eight: 37 acres in the Northeast quarter of Northeast quarter; 40 acres in the Northwest quarter of Northeast quarter; 40 acres in the Southwest quarter of Northeast quarter and 40 acres in the Southeast quarter of Northeast quarter of Section Twenty-nine: 13 acres in the Northwest quarter of Northeast quarter; 34 acres in the Southwest quarter of Northeast quarter; 25 acres in the Southeast quarter of Northeast quarter and 14 acres in the Northeast quarter of Southwest quarter of Section Twenty-eight: 21 acres in the Northwest quarter of Northeast quarter; 6 acres in the Southwest quarter of Northeast quarter; 40 acres in the Northeast quarter of Northwest quarter; 40 acres in the Southeast quarter of Northwest quarter; 20 acres in the Northeast quarter of Southwest quarter of Section Twenty-eight; 6 acres in the Northeast quarter of Southwest quarter; 37 acres in the Northwest quarter of Southwest quarter; 40 acres in the Southwest quarter of Southwest quarter and 8 acres in the Southeast quarter of Southwest quarter of Section Twenty-eight: 40 acres in the Southeast quarter of Southeast quarter and 40 acres in the Northeast quarter of Southeast quarter of Section Twenty-nine: 4 acres in the Northwest quarter of Northeast quarter and 13 acres in the Southeast quarter of Northeast quarter of Section Twenty-eight: 4 acres in the Northwest quarter of Northwest quarter and 31 acres in the Southwest quarter of Northwest quarter of Section Twenty-seven, all in Township Seven South, Range Thirty-nine East of Willamette Meridian, in Baker County, Oregon.

Haines Cemetery Maintenance Dist  
Auth. cancellation of right on  
part of SW 1/4 SW 1/4 Sec 21, T 75, R 39E, WM.  
See File 6-2414

4.54 Acres CANCELLED

Spec. Or. V. 13 p. 19

P.O.D.: SW 1/4 Sec 28 T 75 R 39E WM,  
30' N of 250' E from the SW cor Sec 28



15.0 acres NW<sup>4</sup>SW<sup>4</sup>  
34.0 SW<sup>4</sup>SW<sup>4</sup>  
7.0 SE<sup>4</sup>SW<sup>4</sup>

Sec 28

T7S R39E WM

This certificate is issued to confirm a change in place of use and point of diversion approved by an order of the Water Resources Director entered July 16, 1975 and together with certificate of water right recorded on page 43541, Volume 35, SRWRC supersedes certificate of water right recorded on page 4073, Volume 5, SRWRC.

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

WITNESS the seal and signature of the State  
Water Board, affixed this 15th day  
of February, 192 3

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER  
State Engineer, President

Attest:

R. W. POTTER

Secretary

Recorded in State Record of Water Right Certificates, Volume 5, page 4073.



AFFIDAVIT OF PUBLICATION

State of Oregon, County of Baker, ss.

I, Byron C. Brinton, being first duly sworn,

depose and say that I am the Owner - printer of The Record-Courier, which is a weekly newspaper of general circulation published in Baker, in said county and state; that such newspaper is made up of at least four pages of five columns each and of at least 17 3/4 inches in depth of type matter; that such newspaper was regularly and uninterruptedly published once each week for at least twelve consecutive months immediately preceding the first publication of the

attached Notice of Filing Application For Change in Point of Diversion

and has more than 200 bona fide subscribers within said county; that the Notice of Filing Application For Change in Point of Diversion

of which the one hereto attached is a true and correct copy as printed, was published in the regular and entire issue of said newspaper and not in any supplement thereof, once each week for 3 successive and consecutive weeks, being published

3 times, commencing with the issue dated the 24<sup>th</sup> day of April, 1975, and ending with the issue dated the 8<sup>th</sup> day of May, 1975.

That the amount of charge actually made and to be collected by such newspaper for such publication is \$ 20.65.

Byron C. Brinton

Subscribed and sworn to before me this 9<sup>th</sup> day of May, 1975.

Barbara Lee Therman

Notary Public for Oregon.

My commission expires June 6, 1977.

NOTICE  
OF FILING APPLICATION FOR  
CHANGE IN POINT OF  
DIVERSION

Notice is hereby given that L. M. Ingram has filed an application for the approval of a change in point of diversion of water from Sand Creek.

Certificate of water right issued to Edward W. Coles and recorded at page 4073, Volume 5, State Record of Water Right Certificates, confirms a right to the use of 1.4 cubic feet per second for irrigation of, among other lands, 15.0 acres in NW 1/4 SW 1/4, 34.0 acres in SW 1/4 SW 1/4 and 7.0 acres on SE 1/4 SW 1/4, Sec. 28, T. 7 S., R. 39 E., W.M., with a date of priority of April 28, 1881.

The present point of diversion is located 1,000 feet South and 1,320 feet W. from the NE corner of Sec. 31, being within the NW 1/4 NE 1/4, Sec. 31, T. 7 S., R. 39 E., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 20 ft. N. and 400 ft. E. from the SW corner of Sec. 28, being within the SW 1/4 SW 1/4, Sec. 28, T. 7 S., R. 39 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Baker, Oregon on June 17, 1975, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on L. M. Ingram, Haines, Oregon 97833, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 filing fee, at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the State Engineer without a hearing. Administrative rules pertaining to the filing of a protest will be furnished by the State Engineer upon request.

Date at Salem, Oregon, this 16th day of April, 1975.

Chris L. Wheeler  
State Engineer

(17-19)

RECEIVED

MAY 15 1975

STATE ENGINEER  
SALEM, OREGON