

CROPP

3680

STATUS OF APPLICATION

Change in POU
Date filed 5-20-77
Date of hearing _____
Place of hearing _____
Date of order 11-18-77 Vol. 30, page 65
Date for application of water 10-1-79
Proof mailed 11-8-85
Proof received 12-2-85
Certificate issued _____ Vol. 37, page _____

DEC 19 1977
APR 4 1986
2.7 acres CANCELED Spec. Or. V. 39, p. 469
49

to survey 7/78

Surveyed 7/28/79 12/9/85 SPA

DESCRIPTION OF WATER RIGHT

Name of stream Powder River
Trib. of _____ County of Baker
Use irrigation
Quantity of water _____ No. of acres 39.0
Name of ditch Travillion - Keester
Date of priority 1886-1907
In name of _____
Powder Riv. Adjudication, Vol. 6, page 408
App. No. _____ Per. No. _____ Cert. No. 4290
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>5-20-77</u>	<u>\$ 32.25</u>	<u>60673</u>
TOTAL . . .		
<u>11-16-77</u>	<u>\$2 Cert. Fee</u>	<u>65063</u>

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Applicant owns all lands under C#4290 and has designated priority location on map in this file.

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

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BAKER COUNTY

IN THE MATTER OF CANCELLATION
OF A PORTION OF A WATER RIGHT
IN THE NAME OF LOUISE KOESTER

)
)
)

O R D E R

On December 2, 1985, Marvin D. and Mary L. Cropp of PO Box 172, North Powder, Oregon 97867, submitted an affidavit that they are the owners of a certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question was established by Decree of the Circuit Court for Baker County, entered March 18, 1918, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Powder River, tabulated in the name of Louise Koester, at page 408, Volume 6, Order Record of the Water Resources Director, and is a portion of the right described by the certificate recorded at page 45022, Volume 37, State Record of Water Right Certificates, in the name of Louise Koester, and is for the use of not to exceed one-fortieth cubic foot per second per acre of water from Powder River, with a date of priority of 1907, for 2.7 acres in the SW 1/4 NE 1/4, Section 25, Township 6 South, Range 39 East, WM.

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

NOW, THEREFORE, it is hereby ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 45022, Volume 37, State Record of Water Right Certificates, is canceled.

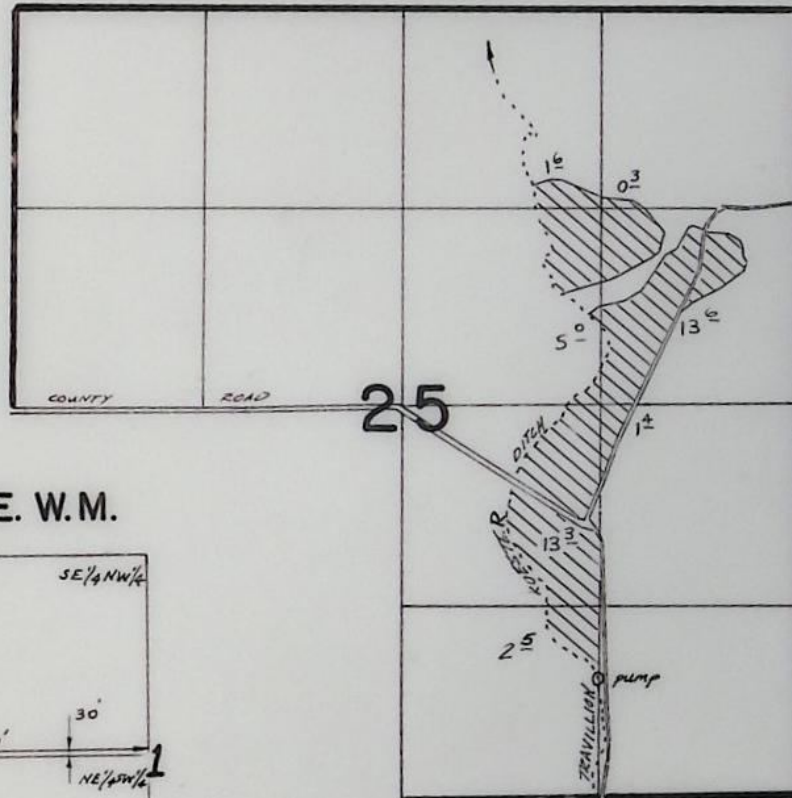
It is FURTHER ORDERED that the said certificate of water right is canceled, and in lieu thereof a new certificate be issued to describe the balance of the water right NOT involved in this proceeding.

Dated at Salem, Oregon, this 13th day of December, 1985.

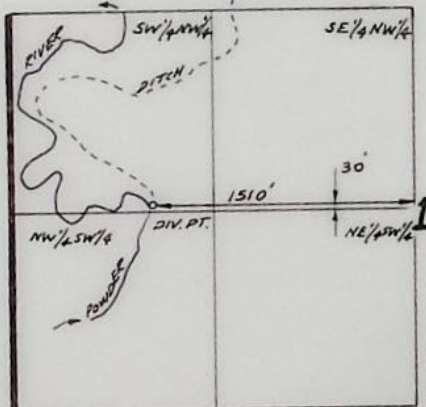
William H. Young
WILLIAM H. YOUNG
Director

1436A
1701D

T. 6S. R. 39E. W.M.



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



FINAL PROOF SURVEY
UNDER

TRANSFER 3680
Application No. _____ Permit No. _____
IN NAME OF

MARVIN D. & MARY L. CROPP

Surveyed 7-2-8 1972, by V. Church & D. J. Jurett

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BAKER COUNTY

IN THE MATTER OF THE APPLICATION)
OF MARVIN D. AND MARY L. CROPP)
FOR APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER FROM POWDER RIVER)
- - - - -

ORDER APPROVING
TRANSFER NO. 3680

On May 20, 1977, an application was filed in the office of the Water Resources Director by Marvin D. and Mary L. Cropp for approval of a change in place of use of water from Powder River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 4290, Volume 5, State Record of Water Rights Certificates, in the name of Louise Koester, describes a right which includes the use of water from Powder River for irrigation of a certain 35.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 4.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 6 South, Range 39 East, W.M., with a date of priority of 1886.

Water for the said right is diverted, through the Travillion-Koester Ditch, from a point located 2400 feet South and 4600 feet West from the Northeast Corner of Section 1, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, Township 7 South, Range 39 East, W.M.

The applicants herein, owners of the lands above described, propose to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 4.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 17.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 13.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 2.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 6 South, Range 39 East, W.M.

Mr. V. Kent Searles, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

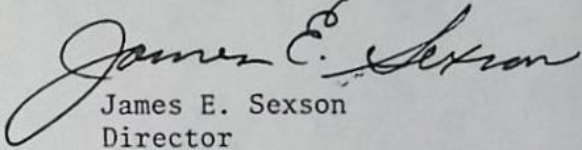
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right recorded at page 4290, Volume 5, State Record of Water Right Certificate, is canceled, and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding, and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicants herein.

Dated at Salem, Oregon, this 18th day of November, 1977.


James E. Sexson
Director

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This is to Certify, That LOUISE KOESTER

of North Powder, State of Oregon 97867 has a right to the use of the waters of Powder River, tributary of Snake River

for the purpose of the irrigation of ^{164.0}~~203~~ 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 1886 for ~~117~~^{72.0} acres in Tract No. 1 and 1907 for 92.0 acres in Tract No. 2

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:

Tract No. 110.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 32.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ ~~35.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 35.0~~²²⁵ ~~26.5~~ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ - ~~4.0~~7.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 25

Tract No. 25.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 14.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 30.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 25

Township 6 South, Range 39 East, W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 4290, Volume 5, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Nov 18, 1977, approving transfer application No. 3680.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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, 1923.

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 4290

T#3680