

Name Leo M. Case

By _____

Address Box 55A Sumpter StageBaker, Oregon 97814Change in POD & PODDate filed December 18, 1978

Date of hearing _____

Place of hearing _____

Date of order 9-19-79 Vol. 32, page 397Date for application of water 10-1-80Proof mailed MAY 20 1996

Proof received _____

Certificate issued Aug. 5, 1986 Vol. 44, page 50116AUG 19 199672486

Notation made on record by _____

REMARKS

T-6577 A POD

4109

DESCRIPTION OF WATER RIGHT

Name of stream Deer CreekTrib. of Powder River County of BakerUse irrigation

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 1880 & 1888In name of W.C. HawkPowder Riv. Adjudication, Vol. 6, page 395App. No. _____ Per. No. _____ Cert. No. 4205

Certificate cancelled _____

FEES PAID

Date	Amount	Receipt No.
<u>12-18-78</u>	<u>45.00</u>	<u>8087</u>
<u>1-26-79</u>	<u>50-</u>	<u>8779</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.
<u>11-14-79</u>	<u>56.75</u>	<u>3893</u>

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

W.R.I.S.

Assembled 7-9-85 by SAB

Entered _____ by _____

Verified _____ by _____

Ref. Transfer # 4109

RECEIVED

SEP 24 1979

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

place of use of water from Deer Creek

PURSUANT TO TRANSFER APPLICATION NO. 4109

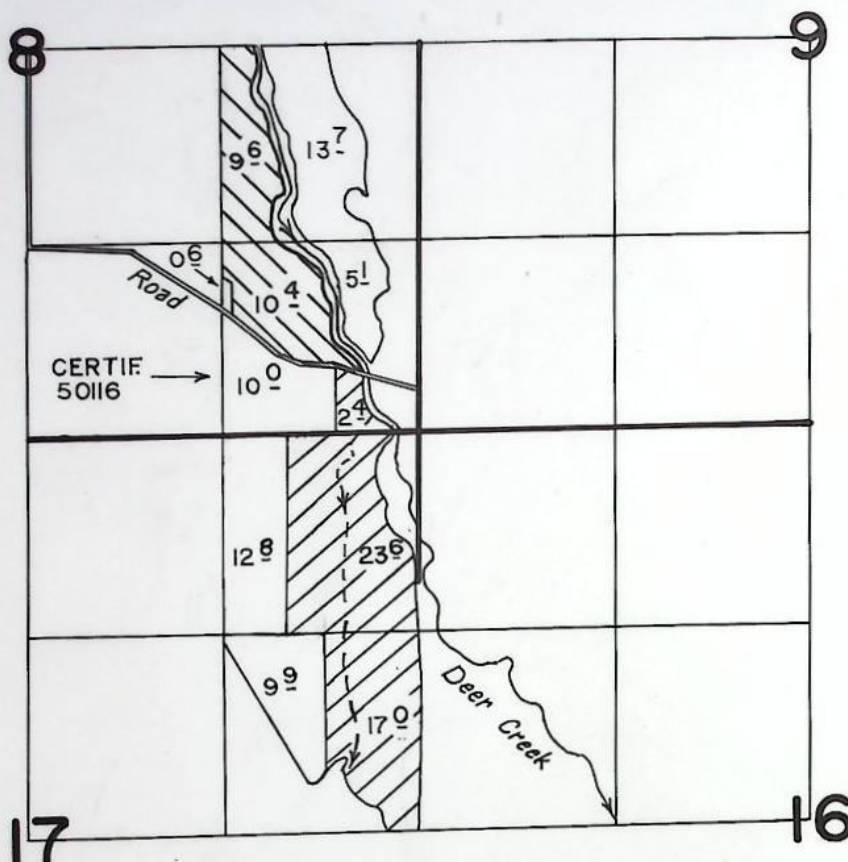
I, Leo M Case, hereby certify that completion
of works and use of water to the extent intended within the provisions
of the order of the Water Resources Director approving said water
right transfer application was accomplished by Sept 20, 1979

Sept 20, 1979
Date

Leo M Case
Signature

OK
Lay
(Mail to the Water Resources Department, Salem, Oregon 97310.)

T.10S., R.38E., W.M.

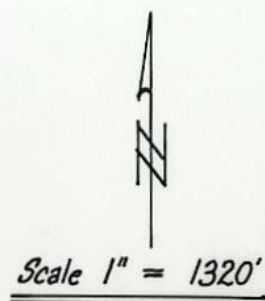


1880 PRIORITY



1888 PRIORITY

FINAL PROOF SURVEY UNDER TRANSFER 4109



Scale 1" = 1320'

IN NAME OF

.....LEO M. CASE.....

Surveyed ..5-2..... 19.88., by ..Vern. Church.....

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LEO M. CASE
BOX 55-A SUMPTER STAGE
BAKER CITY, OR 97814

confirms the right to use the waters of DEER CREEK, a tributary of POWDER RIVER, for IRRIGATION.

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 date of priority is 1888 FOR TRACT 1 AND 1880 FOR TRACT 2.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE-FORTIETH 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 place of use to which this right is appurtenant is as follows:

TRACT 1 (1888)

SE 1/4 SE 1/4 2.4 ACRES
SECTION 8

NE 1/4 NE 1/4 23.6 ACRES
SE 1/4 NE 1/4 17.0 ACRES
SECTION 17

TRACT 2 (1880)

NE 1/4 SE 1/4 9.6 ACRES
SE 1/4 SE 1/4 10.4 ACRES
SECTION 8

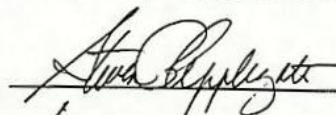
TOWNSHIP 10 SOUTH, RANGE 38 EAST, W.M.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered SEPTEMBER 19, 1979, and supersedes Certificate 4205, State Record of Water Right Certificates.

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 AUGUST 19, 1996.


for Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 72486.

T-4109.DEK

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, *That* W. C. HAWK

of Bay City , State of Oregon , has
a right to the use of the waters of
Noyes and Miners Creek, and Deer Creek

a tributary of Powder River *for the purpose of*
irrigation of 45.0 acres

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 WATER RESOURCES DIRECTOR, in Volume 6 , at page 291 ; that the priority of the right thereby confirmed dates from
1886 for Tract 1 and 1888 for Tract 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 one-fortieth of one cubic foot per second per acre.

The point of diversion is located in the

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

Tract 1
Noyes and Miners Creek
10.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
20.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 9

5.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 16
Township 10 South, Range 38 East, WM

Tract 2
Deer Creek
10.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 8
Township 10 South, Range 38 East, WM

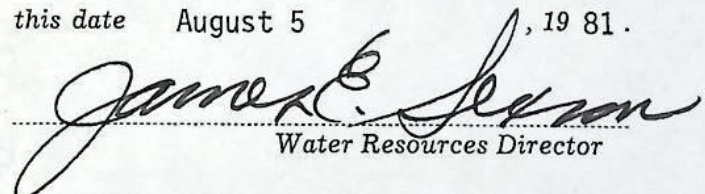
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 4205, Volume 5, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on September 19, 1979, approving Transfer Application 4109.

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.

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 the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date August 5, 19 81.


Water Resources Director

4KK-287
4KK-298

REPORT ON INSPECTION UNDER TRANSFER
OF WATER RIGHT FOR CHANGE IN:

POD
POL
USE
Add'l POD

Transfer NO. 4109

County Baker

Old Certificate NO. 4205

1. Name Joe M. Case
Address Box 55A, Sumpter Stage, Baker, OR 97814
2. Source of Supply Deer Creek, Trib of _____
3. Use irrigation
4. Amount of Water 1/40^{cf} ac / ~~2~~ Priority Date 1880, 1888
5. Proposed Point of Diversion _____

6. Completion Date 10-1-80

7. Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
10S	38E	8	NE SE	20 ac w/ 1880 priority
			SE SE	6 ac w/ 1888 "
		17	NE NE	20 ac w/ 1888 "
			SE NE	17 ac w/ 1888 "
				63 ²

trans to
11/12
11/2
242
16
Remains
Right

41001-279-1291
5-2-88 VUC
9-30-87 JLC
Not Home
W5N

41001-279

US 334
7/8

129A





To



FROM

POD of Record -

TOWNSHIP 10 S.

RANGE 38 E.W.M.

Superceding Permit

Trans. Map T-4109

modified
6-19-74

RECEIVED

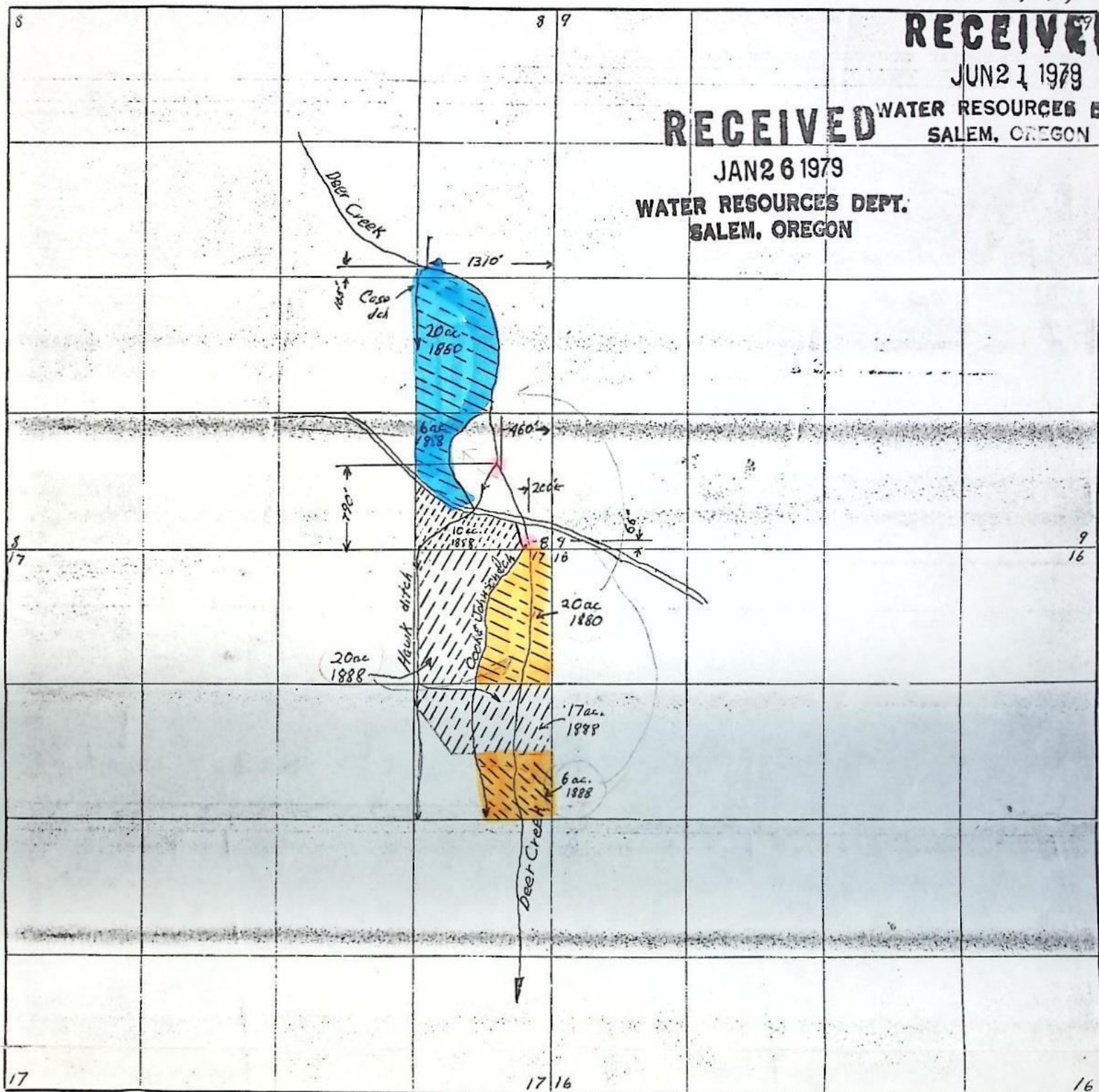
JUN 21 1979

RECEIVED

WATER RESOURCES DEPT
SALEM, OREGON

JAN 26 1979

WATER RESOURCES DEPT.
SALEM, OREGON



MAP TO ACCOMPANY APPLICATION OF:

Name Leo M & Donna C. Case

County Baker

Date 1-24-78

Scale 4 inches to 1 Mile

Remaining Rights →

Rights Trans. →

Note:

MAP PREPARED FROM: July 6 1972 CM Fisher Map & Aerial Photo

SIGNED BY APPLICANT: Leo M Case

MAP DRAWN BY:

T-4109

1966: Per Obs. ~~that~~ This was just a POU transfer all the land requested
is flood irrigated out of Deer Creek. We have a lot of natural ditch as
both east and west of Deer Creek north of road. ~~the~~ Deer Creek is not
like the app'l map shows. ~~as~~ we are irrigating all the land south of
road. It appears all this land is irrigated from the POU in
SW 3/4 of Sec 5.

Tie: 41001-279-1294

5-2-88

Tom Shand

Note: a fn of natural ditch. 1 = 200'

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BAKER COUNTY

IN THE MATTER OF THE APPLICATION)
OF LEO M. CASE FOR APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4109

On December 18, 1978, an application was filed in the office of the Water Resources Director by Leo M. Case for approval of a change in place of use of water from Deer Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 4205, Volume 5, State Record of Water Right Certificates, in the name of W. C. Hawk, describes a right which includes the use of not to exceed 1/40th cubic foot per second per acre from Deer Creek for irrigation of a certain 20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 23 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Township 10 South, Range 38 East, W.M., with a date of priority of 1888; and 20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Township 10 South, Range 38 East, W.M., with a date of priority of 1880.

Water for the said right is diverted, through the Jones and Cook Ditch, from a point located 66 feet North and 200 feet West from the Southeast Corner of Section 8, and through the Hawk Ditch, from a point located 790 feet North and 460 feet West from the Southeast Corner of Section 8, both being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 10 South, Range 38 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use and, without loss of priority, to irrigate in lieu thereof a certain 20.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8 with a priority date of 1880, 6.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8 with a priority date of 1888, and 20.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 17.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17 with a priority date of 1888, all in Township 10 South, Range 38 East, W.M.

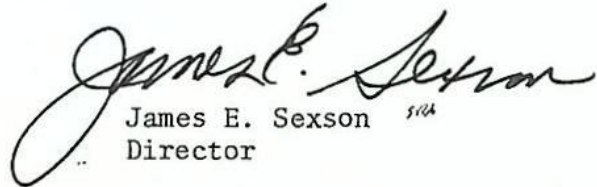
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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, 1980.

It is FURTHER ORDERED that the certificate recorded at page 4205, 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; 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 applicant herein.

Dated at Salem, Oregon this 19th day of September, 1979.


James E. Sexson *JS*
Director

Superceding Permit
Trans. Map T-4109

TOWNSHIP.....10.....S.

RANGE.....38.....E.W.M.

modified
6-19-79

RECEIVED

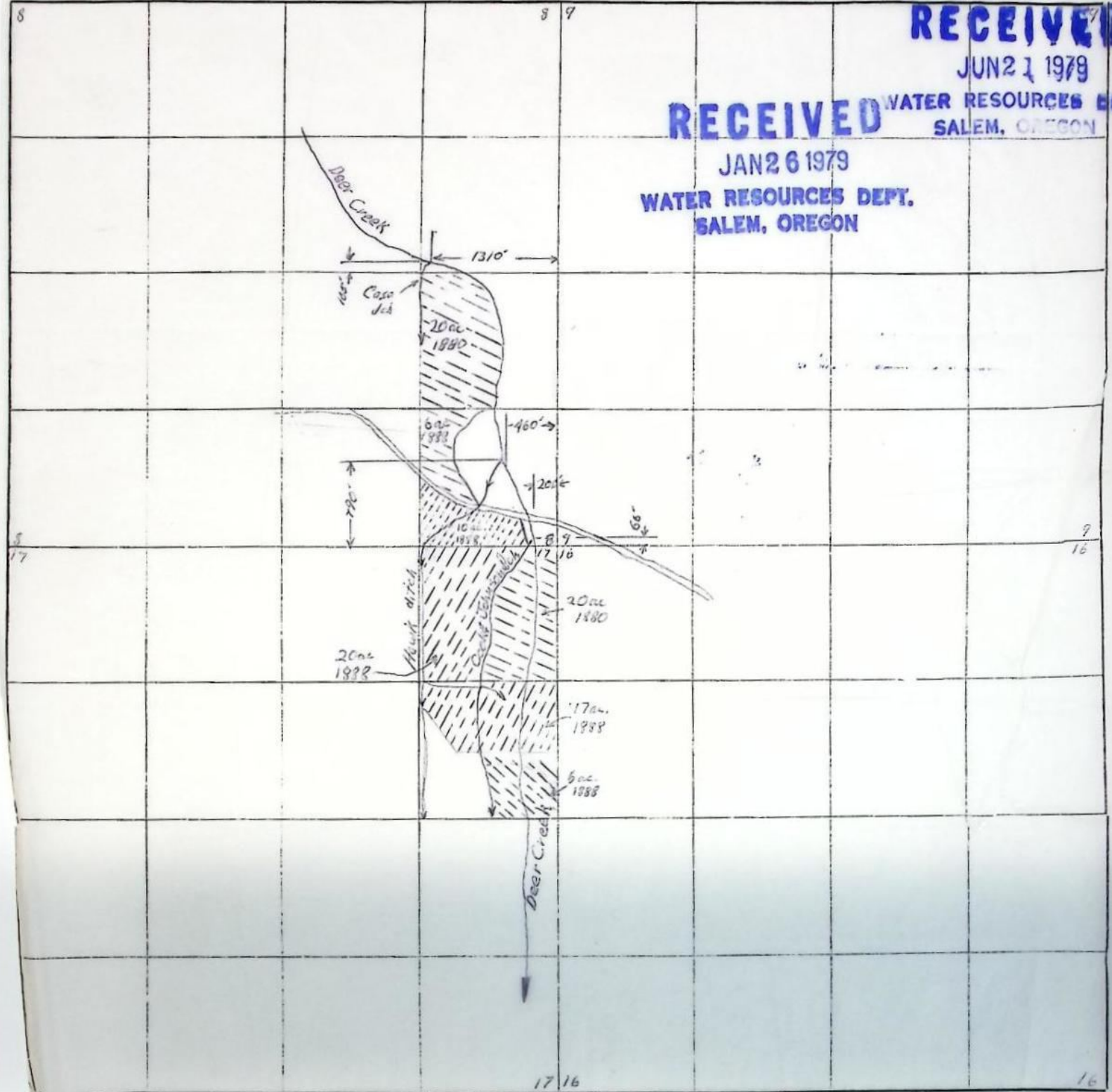
JUN 21 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JAN 26 1979

WATER RESOURCES DEPT.
SALEM, OREGON



MAP TO ACCOMPANY APPLICATION OF:

Remaining Rights →

Name Leo M & Donna C. Case

Rights Trans. →

County Baker

Date 1-24-78

Scale 4 inches to 1 Mile

Note:

MAP PREPARED FROM: July 6 1912 CM Fister Map & Aerial Photo

BY:

SIGNED BY APPLICANT: Leo M Case

T. 10 S., R. 38 E., W. 1 M.

T-4109
modified
6-19-79

Scale 8" = 1 Mile

RECEIVED

23 SEP 10 1979

WATER RESOURCES DEPT
SALEM, OREGON

PRIORITIES :

- | | | |
|---|------|--------|
| 1 | 1888 | 20 Ac. |
| 2 | 1888 | 20 Ac. |
| 3 | 1880 | 20 Ac. |
| 4 | 1888 | 10 Ac. |

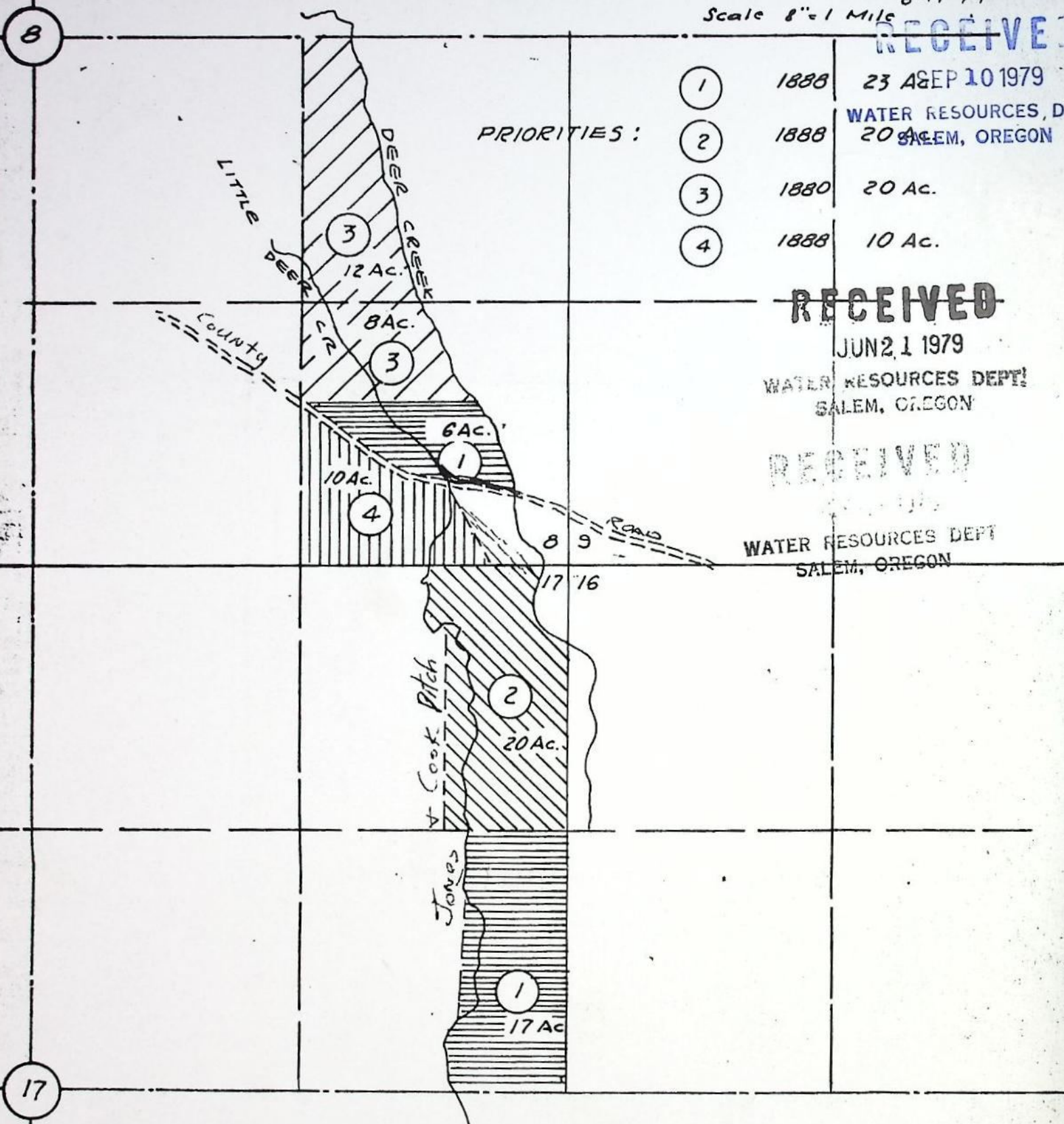
RECEIVED

JUN 21 1979

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

WATER RESOURCES DEPT
SALEM, OREGON



MAP SHOWING PROPOSED TRANSFER
OF WATER RIGHTS 1979

Leo M. Case, Applicant

RECEIVED

SEP 4 - 1979

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JUN 21 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

DEC 18 1978

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

RECEIVED RECEIVED

To the WATER RESOURCES DIRECTOR OF OREGON:

SEP 10 1979

JAN 26 1979

WATER RESOURCES DEPT.
SALEM, OREGONWATER RESOURCES DEPT.
SALEM, OREGONI, Les M Case

(Name of applicant)

of Box 55A Sumpter Stage

(Mailing address)

Baker

(City)

State of Oregon

(Zip Code)

97814 894-2315

(Phone number)

do hereby make application for change

point of diversion and place of use

(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name?

Hawk W.C.

(If not, give name)

2. Was your water right determined by Decree of Court?

Yes

If so, give title of proceedings

Powder River Adjudicationnumber of certificate C 4205

3. Was your water right acquired by Water Right Permit?

(Yes or No)

If so, give number

of permit Number of certificate

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is

Deer Creek - Noyes Creek + minors Creek

5. What is the date of priority of your water right?

1880 & 1888

6. The authorized point of diversion is located

Jones & Cook 66N220'W

ft.

N

ft.

Wfrom the SE

(N. or S.)

(E. or W.)

corner of Sec 8 being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8 Tp. 10S R. 38E W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of BakerThe name of the ditch used is Jones & Cook ; Hawk

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located

105 ft.Nand 1310 ft.Wfrom the E $\frac{1}{4}$

(N. or S.)

(E. or W.)

corner of Sec 8 being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8 Tp. 10S R. 38E W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of BakerThe name of the ditch to be used is Case ditch Lm C

8. The use to which the water is applied is

Irrigation & stock
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List 1/4-1/4 of Section	Number Acres To Be Irrigated
10 S	38 E	17	NE 1/4 NE 1/4	acres - priority 40 20 - 1880
10 S	38 E	17	SE 1/4 NE 1/4	23 6 - 1888
10 S	38 E	17	SE 1/4 NE 1/4	17 - 1888
10 S	38 E	17	NE 1/4 NE 1/4	20 - 1888 LMC

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands?

Yes

(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? No
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? yes
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is

Irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List 1/4-1/4 of Section	Number Acres To Be Irrigated
T 10 S	38 E	8	NE 1/4 SE 1/4	acres priority 20 ac 1880
10 S	38 E	8	SE 1/4 SE 1/4	6 ac 1888
10 S	38 E	17	SE 1/4 NE 1/4	17 - 1888
10 S	38 E	17	NE 1/4 NE 1/4	20 - 1888 LMC

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are

To prevent wasted water by eliminating two miles of inlet ditch used at present to secure new point of diversion to properly irrigate only the 26 acres being transferred. The remaining land will use existing ditches, so will the 26 acres being transferred.

15. Construction work will be completed on or before

12/11/79

16. The water will be completely applied to the proposed use on or before

12/11/79

Remarks

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

I, Leo M Case, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 12 day of December, 1978

Leo M Case
(Name of applicant)

Subscribed and sworn to before me this 15 day of December, 1978

[Notarial Seal]

Shonda K McDowell
NOTARY PUBLIC FOR OREGON

My commission expires

April 16, 1982

BEFORE THE BOARD OF CONTROL OF THE STATE OF OREGON

Water Division No. 2, Baker and Union Counties. AUG 27 1979

RECEIVED
WATER RESOURCES DEPT
SALEM, OREGON

In the Matter of the Determination of the Relative

Rights to the Waters of Powder River,

and its tributaries, a

Tributary of Snake River.

STATEMENT AND PROOF OF CLAIMANT

Jones and Cook Ditch.

(The claimant must submit separate proof as to each ditch through which a water right is claimed.)

STATE OF OREGON,

County of Tillamook.

ss.

W. C. Hawk, of Bay City, Oregon,

being called as a witness in support of this Statement of Claim, and being first duly sworn, testified as follows:

1. Q.—What is claimant's name and postoffice address? If a corporation, give the place of incorporation and the authority by which you make this proof.

A.— W. C. Hawk, Bay City, Oregon.

(If this proof is made by you as agent or attorney, the written authorization therefor must be signed by the claimant upon the back hereof.)

2. Q.—Do you claim a right to the waters of the above named stream or a tributary thereof? If from a tributary, give its name.

A.— Yes, from ~~Minor Creek~~ a tributary of Deer Creek, a tributary of Powder River.

3. Q.—What is the nature of the right or use on which this claim to the waters of said stream is based?

A.— Irrigation and stock use.

(Irrigation, power, mining, domestic, stock, etc.)

4. Q.—How was such right initiated, or upon what is it based?

A.— Appropriation, with diversion and use.
(Appropriation, diversion and use, etc.)

5. Q.—State the date of the initiation of such water right. A.— 1880.

6. Q.—What steps were taken by this claimant or his predecessor in interest to initiate said right? Answer fully, attaching separate sheet if necessary.

A.— Cut the banks of the Creek and ran the ditch, as indicated on the map.

7. Q.—When was water first used for irrigation, or other beneficial purposes?

A.— 1880.

8. Q.—State the means of utilizing such water, giving the name by which the ditch is most commonly known, if a ditch is used.

A.— See answer to question six.

9. Q.—State the interest claimant has in such ditch, with the names of any other water users interested therein.

A.— Simply own a right to run irrigation water into and through this ditch, for the purpose of irrigating the lands, as hereinafter designated.

T-7109 RECEIVED

BEFORE THE BOARD OF CONTROL OF THE STATE OF OREGON

Water Division No. 2, Baker and Union Counties.

In the Matter of the Determination of the Relative

Rights to the Waters of Powder River,
and its tributaries, a
Tributary of SNAKE RIVER.

STATEMENT AND PROOF OF CLAIMANT
From Noyes Creek and unnamed ditch,
from Minor Creek (not shown on
W. C. Hawk Ditch, No. 2, ^{Engineer's} ~~State~~ Map).

(The claimant must submit separate proof as to each ditch through which a water right is claimed.)

STATE OF OREGON,

County of Tillamook ss.

W. C. Hawk, of Bay City, Oregon,

being called as a witness in support of this Statement of Claim, and being first duly sworn, testified
as follows:

1. Q.—What is claimant's name and postoffice address? If a corporation, give the place of incorporation and the authority by which you make this proof.

A.—W. C. Hawk, Bay City, Oregon.

(If this proof is made by you as agent or attorney, the written authorization therefor must be signed by the claimant upon the back hereof.)

2. Q.—Do you claim a right to the waters of the above named stream or a tributary thereof? If from a tributary, give its name.

A.—Yes, from Minor Creek and Noyes Creek, tributaries of Deer

3. Q.—What is the nature of the right or use on which this claim to the waters of said stream Creek. is based?

A.—Irrigation and stock use.

(Irrigation power, milking domestic stock, etc.)

4. Q.—How was such right initiated?

A.—Appropriation and diversion to a beneficial use.

(Appropriation, diversion and use, etc.)

5. Q.—State the date of the initiation of such water right. A.—1886.

6. Q.—What steps were taken by this claimant or his predecessor in interest to initiate said right? Answer fully, attaching separate sheet if necessary.

A.—Various ditches were cut, and the water taken from Noyes Creek and Minor Creek, for a combined use upon lands of claimant.

7. Q.—When was water first used for irrigation, or other beneficial purposes?

A.—1886.

8. Q.—State the means of utilizing such water, giving the name by which the ditch is most commonly known, if a ditch is used.

A.—See answer to question six.

9. Q.—State the interest claimant has in such ditch, with the names of any other water users interested therein.

A.—Own all of said ditches.

11. Q.—State the date of completion. A.—1886.

11. Q.—State the date of completion. A.—1886.

A.—Width (top) _____ feet; width (bottom) _____ feet.

depth _____ feet; grade, or fall in feet per 1000 feet, _____ feet.

A. _____

First enlargement—Width (top) _____ feet; width (bottom) _____

feet; depth _____ feet; grade, or fall per 1000 feet, _____ feet.

Second enlargement—Width (top) _____ feet; width (bottom) _____

feet; depth.....feet; grade, or fall per 1000 feet,feet.

14. Q—State the area of land which your ditch, as originally constructed, was intended to irrigate. A.— About 35 acres. acres.

15. Q.—If water is used for irrigation, state the number of acres reclaimed and irrigated the first year.

16. Q.—How many acres were irrigated each subsequent year up to and including the present year?

A.—In the year 1887 or 1888, about 10 acres were added, and about 1889 or 1890, about 5 acres were added. 35 acres have been irrigated each and every year since the year 1890.

17. Q.—How many acres were irrigated after the first enlargement of said ditch? After each successive enlargement?

A.—

18. Q.—Give the number of acres irrigated under said ditch at the present time in each smallest legal subdivision (40-acre tract); using the following form. (The lands have been surveyed and are shown on the plat of the State Engineer, which you may examine at the time of the hearing. Your answer to this question should conform to those maps, unless you object to the same and submit maps of your own showing such information. No proof will be accepted which does not answer this question in detail.) (Attach separate sheet if necessary.)

A.—

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
10	38	16																
10	38	16						5										
		9											10					
														20				

Total 35 acres

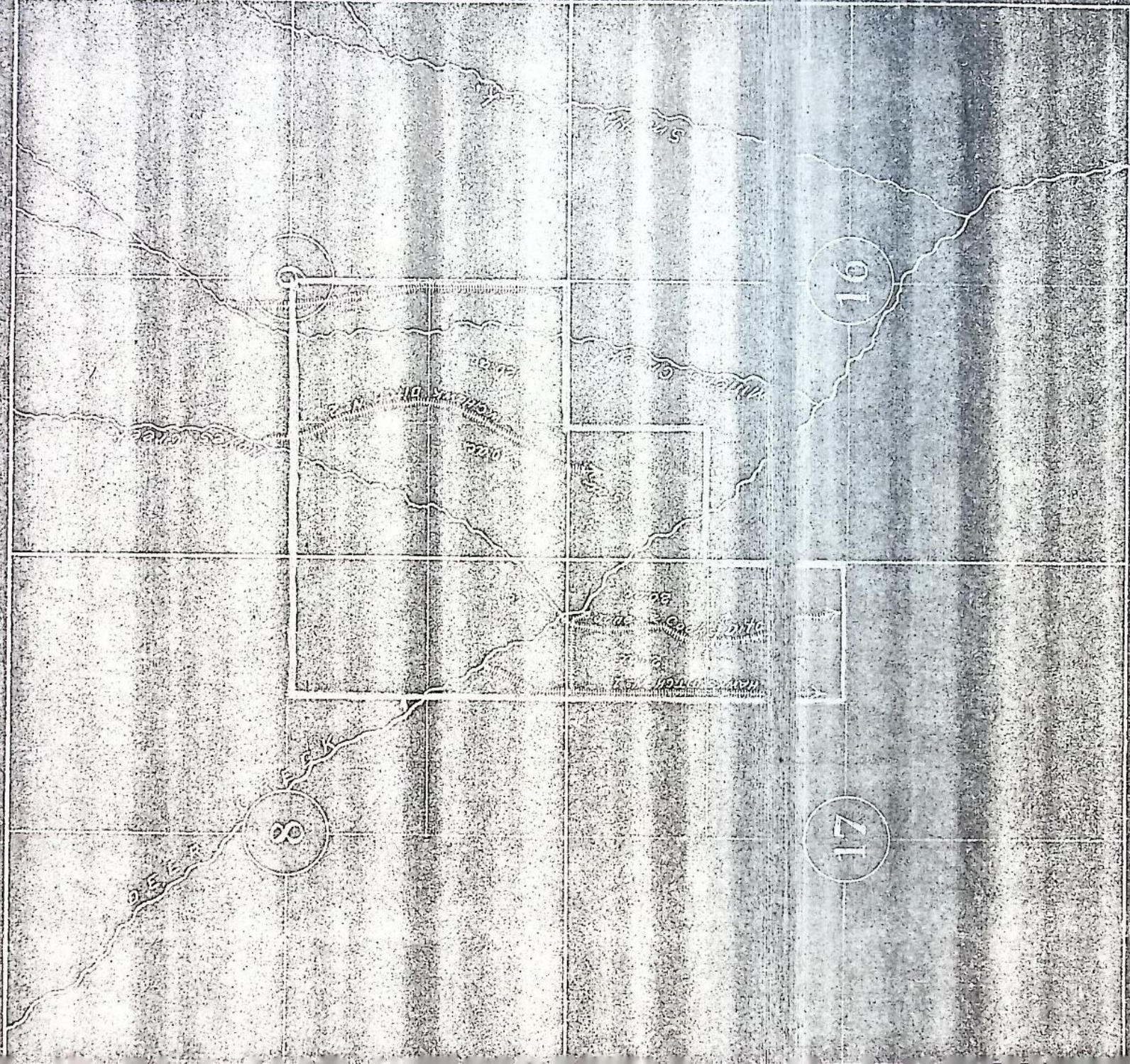
19. Q.—State the character of the soil and kind of crops cultivated.

A—The soil is entirely of volcanic ash. I grow timoth clover.

Total.....33

19. Q.—State the character of the soil and kind of crops cultivated.
A.—The soil is entirely of volcanic ash. I grow timothy, clover, and grain crops.

TOWNSHIP 10 SOUTH RANGE 38 EAST WM



SECTION 8

Sections 8, 9,
4 Range 38,
is also showing
and lands
nd M. C. Harkins
iners Creek
n Foster
surveyor

1. C. M. Foster of Grant, Oregon, do hereby certify that this
map was made from notes furnished by W. C. Harkins and that it
correctly represents the lands and improvements thereof.
W. C. Harkins acquired the said lands by purchase with the location
off streams and other facilities in the immediate vicinity
and has written thereon the area in acres, smallest legal subdivision
which has heretofore been irrigated. C. M. Foster
surveyor

***32. Q.—How many miles of ditch and what other construction work has been completed to date? A.—

***33. Q.—State the cost of construction to date. A.—

34. Q.—What interest have you in the lands irrigated or place where the water is used?

A.—Have owned lands by title in fee simple.

35. Q.—Name at least three witnesses who will substantiate the statements herein made by you. Give their postoffice addresses.

A.—Byron Weatherford, Sumpter, Oregon; G. L. Edmonston, Sumpter, Oregon, and Dan Davis, Sumpter, Oregon.

36. Q.—What additional evidence have you attached hereto or submitted herewith?

A.—Refer to map filed by claimant with proof of claim to Hawk Ditch.

(If the witness finds the space insufficient to properly answer any question, he should attach hereto said answer on a separate sheet or sheets. A corporation supplying water for irrigation to lands not its own, should attach to its proof a complete list of the persons owning the lands so supplied, with the correct description of the lands owned by each such person in each smallest legal subdivision. Certified copies of records and such evidence as the claimant may desire to submit, should be attached to this proof and marked for identification as Exhibit "A," "B," "C," etc.)

I hereby certify upon oath that the foregoing statements and answers are true as I verily believe.

W. C. Hawk

Signature of Claimant, or agent making proof.

Subscribed and sworn to before me

C. T. Goswin, Notary Public for Oregon

Superintendent of Water Division No. _____ of State of Oregon.

Filed _____ 191 _____

Fees paid: _____, \$ _____

Superintendent, Water Division No. _____, State of Oregon.

*In case there is objection to the official plat the parties objecting must, when giving proof, file a written statement of the reasons therefor, and must, within thirty days, file with the Division Superintendent a map of said ditch and irrigated lands, with affidavit of surveyor thereto giving date of survey. Such map should be on tracing linen, on a scale of two inches to the mile (40 chains to one inch), and should have marked thereon, within each 40-acre legal subdivision, the area of land which is irrigated.

**Theoretical horsepower equals total quantity claimed in cubic feet per second, times fall in feet, divided by 8.8 (one cubic foot per second falling 8.8 feet equals one theoretical horsepower, or 550 foot pounds per second).

***Where a water right has been initiated prior to February 24, 1909, and the works are incomplete, or the water not yet or only partially applied to beneficial use, a map of lands on the above scale should accompany this statement, or filed with the Division Superintendent within thirty days from date of proof, which maps should be drawn on uniform sheets of tracing linen, on a scale of two inches to the mile (40 chains to one inch), and should show the area which it is proposed to irrigate in each 40-acre tract, as well as main canals and general plans of all important structures to be built. The affidavit of surveyor or engineer should be attached, with date. The surveys of the State Engineer will show only constructed works and lands now irrigated. Questions 26, 27, 28, 29, 30, 31, and 32 relate only to uncompleted rights.

AUTHORIZATION OF AGENT.

_____ of _____,
State of _____, do hereby make and appoint _____

_____ of _____, my agent and attorney for me and in my name, place and stead, to make and submit the within Statement and Proof of Claimant, and I hereby designate said agent as the proper party upon whom lawful and valid service may be made of all process and notices in any contest commenced by or against me, in the within entitled matter, and said agent is hereby duly authorized to appear in any and all such contests as my true and lawful agent and attorney, giving and granting unto my said attorney full power and authority to do and perform all and every act necessary and requisite to be done in the premises, as fully as I might or could do if personally present, hereby ratifying and confirming all my said agent shall lawfully do by virtue of this power.

Signature of Claimant.

Hawk
W. C. Hawk

BEFORE THE BOARD OF CONTROL OF THE STATE OF OREGON

RECEIVED
AUG 27 1979

Water Division No. 2, Baker and Union

County of Tillamook, OREGON
WATER RESOURCES DEPT
SALEM, OREGON

In the Matter of the Determination of the Relative

Rights to the Waters of Powder River

and its tributaries, a

Tributary of Snake River.

STATEMENT AND PROOF OF CLAIMANT

Hawk Ditch.

(The claimant must submit separate proof as to each ditch through which a water right is claimed.)

STATE OF OREGON,

County of Tillamook.

ss.

W. C. Hawk, of Bay City, Oregon,

being called as a witness in support of this Statement of Claim, and being first duly sworn, testified as follows:

1. Q.—What is claimant's name and postoffice address?—If a corporation, give the place of incorporation and the authority by which you make this proof.

A.—W. C. Hawk, Bay City, Oregon.

(If this proof is made by you as agent or attorney, the written authorization therefor must be signed by the claimant upon the back hereof.)

2. Q.—Do you claim a right to the waters of the above named stream or a tributary thereof? If from a tributary, give its name.

A.—Yes, from Deer Creek.

3. Q.—What is the nature of the right or use on which this claim to the waters of said stream is based?

A.—Irrigation and stock use.

(Irrigation, power, mining, domestic, stock, etc.)

4. Q.—How was such right initiated, or upon what is it based?

A.—Appropriation, combined with diversion and application to a beneficial use.

(Appropriation, diversion and use, etc.)

5. Q.—State the date of the initiation of such water right. A.—1883.

6. Q.—What steps were taken by this claimant or his predecessor in interest to initiate said right? Answer fully, attaching separate sheet if necessary.

A.—Simple cut ditch, designated as "Hawk Ditch", and conveyed the water on to lands hereinafter designated.

7. Q.—When was water first used for irrigation, or other beneficial purposes?

A.—1883.

8. Q.—State the means of utilizing such water, giving the name by which the ditch is most commonly known, if a ditch is used.

A.—See answer to question six.

9. Q.—State the interest claimant has in such ditch, with the names of any other water users interested therein.

A.—Claimant owns the entire ditch.

10. Q.—State the date of the beginning of construction. A.—.....1883.....

11. Q.—State the date of completion. A.—1883.

12. Q.—State the dimensions of the ditch as originally constructed, just below the waste way or head gate. Do not know, but ditch is now:

A.—Width (top).....2 feet feet; width (bottom).....1.6 inches.....feet;

depth.....12 inches.....feet; grade, or fall in feet per 1000 feet,20 inches.....feet.

13. Q.—If said ditch has been enlarged, state the date of beginning and completion of each enlargement, and its dimensions as enlarged.

A. No enlargements that I know of.

First enlargement—Width (top) _____ feet; width (bottom) _____

feet; depth _____ feet; grade, or fall per 1000 feet, _____ feet.

Second enlargement—Width (top) _____ feet; width (bottom) _____

feet; depth, _____ feet; grade, or fall per 1000 feet, _____ feet.

irrigate. A. At least 80 acres. acres.

15. Q.—If water is used for irrigation, state the number of acres reclaimed and irrigated the first year.

A.— 30 acres.

16. Q.—How many acres were irrigated each subsequent year up to and including the present year?

A. - In 1882, 10 acres of land were sold to the State of California for the purpose of establishing a State Prison.

Since, and including the year 1885, up to the present time, 53 acres
have been irrigated each and every year from this ditch.

17. Q.—How many acres were irrigated after the first enlargement of said ditch? After each successive enlargement?

A. _____

18. Q.—Give the number of acres irrigated under said ditch at the present time in each smallest legal subdivision (40-acre tract), using the following form. (The lands have been surveyed and are shown on the plat of the State Engineer, which you may examine at the time of the hearing. Your answer to this question should conform to those maps, unless you object to the same and submit maps of your own showing such information. No proof will be accepted which does not answer this question in detail.) (Attach separate sheet if necessary.)

A.—

[illegible]

Total 53 acres

19. Q.—State the character of the soil and kind of crops cultivated.

A Small portions are very gravelly, but most of the soil is a dark loam, with some gravel mixed therein: grow some

ملک

20. Q.—When does the irrigating season begin and when does it end, and if water is used for other purposes, during what months is it used?

A— From May 15th to July 15th. For garden purposes a month longer, up to August 15th.

longer up to August 15th.

longer up to August 15th.

21. Q.—What amount of water do you estimate is necessary for the proper irrigation of the lands which you are irrigating or propose to irrigate, or for any other purpose for which a right is claimed?

A.—3 acre feet per acre. Would like three times that amount one-third of the time.

*22. Q.—Do you accept the maps prepared by the State Engineer as showing correctly the location of said ditch and the lands irrigated therefrom?

...tion of said ditch and the lands irrigated therefrom;

A.—No, for it shows no irrigated land..... See further answer and
*23. Q.—If water is used for power, state the total fall utilized and the theoretical (not actual) plat.
horsepower developed.

A. Q.—Describe the nature of the works by which the power is to be developed, the place where located, and state whether the water is returned to the stream after use and at what point.

A.—

25. Q.—If for mining purposes, describe the location and character of the mines to be served and state whether after use the water is returned to the stream and at what point.

A. —

26. Q.—If water is used for mining or power purposes, state whether there are any diversions between the point of your diversion and the return of such water to the stream.

A. —

A. ***27. Q.—If the right claimed was initiated prior to February 24, 1909, but the water not yet fully applied, state whether such right was initiated by the construction of a new ditch or the enlargement of an existing ditch, and whether storage works are to be constructed.

A.—

***28. Q.—Give the length of such proposed ditch. A.—

***29 Q. What is the estimated cost of such proposed construction? A—

***30. Q.—When are the works intended to be completed?

***30. Q.—When are the works intended to be completed? A.—

***31. Q.—State in detail, the number of acres which you propose to irrigate in each smallest legal subdivision (40-acre tract) under such proposed ditch or enlargement, using the following form. The lands at present actually irrigated should be described in answer to question 17. (Attach a separate sheet if necessary.)

A.—

[illegible]

***32. Q.—How many miles of ditch and what other construction work has been completed to date? A—

***33. Q.—State the cost of construction to date. A—

34. Q.—What interest have you in the lands irrigated or place where the water is used?

A.—I own these lands, with title in fee simple.

35. Q.—Name at least three witnesses who will substantiate the statements herein made by you. Give their postoffice addresses.

A.—Byron Weatherford, Sumpter, Oregon; G. L. Edmonston, Sumpter, Oregon, and Dan Davis, Sumpter, Oregon.

36. Q.—What additional evidence have you attached hereto or submitted herewith?

A.—A blue print, showing the ditches as now located, together with further answer attached.

(If the witness finds the space insufficient to properly answer any question, he should attach hereto said answer on a separate sheet or sheets. A corporation supplying water for irrigation to lands not its own, should attach to its proof a complete list of the persons owning the lands so supplied, with the correct description of the lands owned by each such person in each smallest legal subdivision. Certified copies of records and such evidence as the claimant may desire to submit, should be attached to this proof and marked for identification as Exhibit "A," "B," "C," etc.)

I hereby certify upon oath that the foregoing statements and answers are true as I verily believe.

[Signature]

Signature of Claimant, or Agent making proof.

Subscribed and sworn to before me this 15th day of February, 1913

[Signature] O. T. Goodwin, Notary Public for Oregon.

Superintendent of Water Division No. of State of Oregon.

Filed

Fees paid:

\$16.00

Superintendent, Water Division No. , State of Oregon.

*In case there is objection to the official plat the parties objecting must, when giving proof, file a written statement of the reasons therefor, and must, within thirty days, file with the Division Superintendent a map of said ditch and irrigated lands, with affidavit of surveyor thereto giving date of survey. Such map should be on tracing linen, on a scale of two inches to the mile (40 chains to one inch), and should have marked thereon, within each 40-acre legal subdivision, the area of land which is irrigated.

*Theoretical horsepower equals total quantity claimed in cubic feet per second, times fall in feet, divided by 8.8 (one cubic foot per second falling 8.8 feet equals one theoretical horsepower, or 550 foot pounds per second).
*Where a water right has been initiated prior to February 24, 1909, and the works are incomplete, or the water not yet or only partially applied to beneficial use, a map of lands on the above scale should accompany this statement, or filed with the Division Superintendent within thirty days from date of proof, which maps should be drawn on uniform sheets of tracing linen, on a scale of two inches to the mile (40 chains to one inch), and should show the area which it is proposed to irrigate in each 40-acre tract, as well as main canals and general plans of all important structures to be built. The affidavit of surveyor or engineer should be attached, with date. The surveys of the State Engineer will show only constructed works and lands now irrigated. Questions 26, 27, 28, 29, 30, 31, and 32 relate only to uncompleted rights.

AUTHORIZATION OF AGENT.

of

State of , do hereby make and appoint

of , my agent and attorney for me and in my name, place and stead, to make and submit the within Statement and Proof of Claimant, and I hereby designate said agent as the proper party upon whom lawful and valid service may be made of all process and notices in any contest commenced by or against me, in the within entitled matter, and said agent is hereby duly authorized to appear in any and all such contests as my true and lawful agent and attorney, giving and granting unto my said attorney full power and authority to do and perform all and every act necessary and requisite to be done in the premises, as fully as I might or could do if personally present, hereby ratifying and confirming all my said agent shall lawfully do by virtue of this power.

Signature of Claimant.

BEFORE THE BOARD OF CONTROL OF THE STATE OF OREGON

10. Q.—State the date of the beginning of construction. A.—1880.

11. Q.—State the date of completion. A.—1880.

11. Q.—State the gate of conception. A.—Torus.

12. Q.—State the dimensions of the ditch as originally constructed, just below the waste way or head gate. Do not know but now is:

A.	Width (top)	20 inches	feet; width (bottom)	16 inches	feet;

depth 12 inches feet; grade, or fall in feet per 100 feet, feet.

13. Q.—If said ditch has been enlarged, state the date of beginning and completion of each enlargement, and its dimensions as enlarged.

A.—No enlargement that I know of.

First enlargement—Width (top) feet; width (bottom)

feet; depth.....feet;
feet; grade; or fall per 1000 feet,.....feet.

Second enlargement—Width. (top) _____ feet; width (bottom) _____

feet: depth.....feet.
feet: grade; or fall per 1000 feet,feet.

14. Q.—State the area of land which your ditch, as originally constructed, was intended to

irrigate. About 20 acres acres.

the first year.

A. — 20 acres.

16. Q.—How many acres were irrigated each subsequent year up to and including the present year?

A— 20 acres.

17. Q.—How many acres were irrigated after the first enlargement of said ditch? After each successive enlargement?

A.

18. Q.—Give the number of acres irrigated under said ditch at the present time in each smallest legal subdivision (40-acre tract), using the following form. (The lands have been surveyed and are shown on the plat of the State Engineer, which you may examine at the time of the hearing. Your answer to this question should conform to those maps, unless you object to the same and submit maps of your own showing such information. No proof will be accepted which does not answer this question in detail.) (Attach separate sheet if necessary.)

A. —

[illegible]

S. ON. HOIENVI 1015 V.

Total.....20

20 acres

19. Q.—State the character of the soil and kind of crops cultivated.

A.—Small portions are very gravelly, but most of the soil is

***32. Q.—How many miles of ditch and what other construction work has been completed to date? A.—

***33. Q.—State the cost of construction to date. A.—

34. Q.—What interest have you in the lands irrigated or place where the water is used?

A.—I own land, title in fee simple.

35. Q.—Name at least three witnesses who will substantiate the statements herein made by you. Give their postoffice addresses.

A.—Byron Weatherford, Sumpter, Oregon; G. L. Edmonston, Sumpter, Oregon, and Dan Davis, Sumpter, Oregon.

36. Q.—What additional evidence have you attached hereto or submitted herewith?

A.—I refer to the blue print attached to the proof on the Hawk Ditch, and make it a part of this proof.

(If the witness finds the space insufficient to properly answer any question, he should attach hereto said answer on a separate sheet or sheets. A corporation supplying water for irrigation to lands not its own, should attach to its proof a complete list of the persons owning the lands so supplied, with the correct description of the lands owned by each such person in each smallest legal subdivision. Certified copies of records and such evidence as the claimant may desire to submit, should be attached to this proof and marked for identification as Exhibit "A," "B," "C," etc.)

I hereby certify upon oath that the foregoing statements and answers are true as I verily believe.

Signature of Claimant, or agent making proof.

Subscribed and sworn to before me this 15th day of February, 1913.

Superintendent of Water Division No. of State of Oregon.

Filed: , 191

Fees paid: \$

Superintendent, Water Division No., State of Oregon.

*In case there is objection to the official plat the parties objecting must, when giving proof, file a written statement of the reasons therefor, and must, within thirty days, file with the Division Superintendent a map of said ditch and irrigated lands, with affidavit of surveyor thereto giving date of survey. Such map should be on tracing linen, on a scale of two inches to the mile (40 chains to one inch), and should have marked thereon, within each 40-acre legal subdivision, the area of land which is irrigated.

**Theoretical horsepower equals total quantity claimed in cubic feet per second, times fall in feet, divided by 8.8 (one cubic foot per second falling 8.8 feet equals one theoretical horsepower, or 550 foot pounds per second).

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AUTHORIZATION OF AGENT.

of
State of , do hereby make and appoint

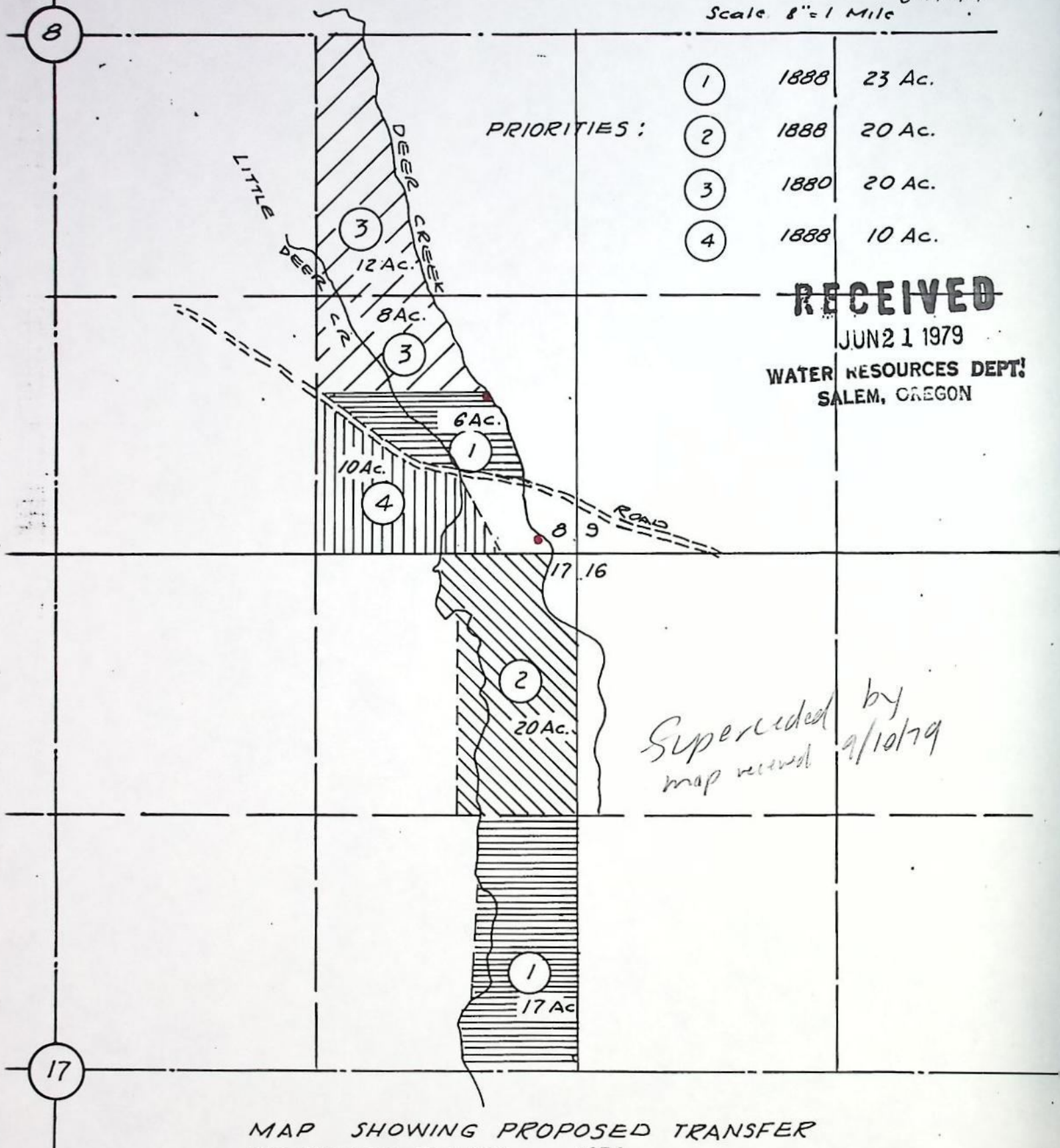
of , my agent and attorney for me and in my name, place and stead, to make and submit the within Statement and Proof of Claimant, and I hereby designate said agent as the proper party upon whom lawful and valid service may be made of all process and notices in any contest commenced by or against me, in the within entitled matter, and said agent is hereby duly authorized to appear in any and all such contests as my true and lawful agent and attorney, giving and granting unto my said attorney full power and authority to do and perform all and every act necessary and requisite to be done in the premises, as fully as I might or could do if personally present, hereby ratifying and confirming all my said agent shall lawfully do by virtue of this power.

Signature of Claimant.

T. 10 S., R. 38 E., W.M.

1-4109
Modified
6-19-79

Scale 8" = 1 Mile



MAP SHOWING PROPOSED TRANSFER
OF WATER RIGHTS 1979

Leo M. Case, Applicant

T. 10 S., R. 38 E., W. M.

Modified
6-19-79

Scale 8" = 1 Mile

EXISTING RIGHTS:

PERMIT C-4205

1888 23 Ac. Deer Creek

RECEIVED
SEP 10 1979

1888 20 Ac. " "

WATER RESOURCES DEPT
SALEM, OREGON

1880 20 Ac. " "

Jones & Cook Ditch

1888 10 Ac. " "

Hawk Ditch

RECEIVED

JUN 21 1979

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

SEP 4 - 1979

WATER RESOURCES DEPT
SALEM, OREGON

RE-COPY OF A PORTION OF MAP DRAWN BY
C.M.FOSTER JULY 6, 1912 TO ACCOMPANY
CLAIM FOR WATER RIGHT FOR W.C.HAWK.

Leom case, Applicant

SECTION 8

TOWNSHIP <u>10S</u> RANGE <u>38E</u> W. M.																SECTION <u>17</u>		
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
40			23					Canc	Sp. Or.	132	P 397					See T 4109		4205
								5.1	10.4	40	38.7			20				4580
								Part Canc.						20	Sp. Or.	132 P 448		4162
40				40	40											12628	9109	REMAINING UNDEVELOPED
								Min	10.4	40	38.7			20		18622	14259	CANCELED
														20	Sp. Or.	132 P 448	Remaining rights	
								— Rec —						20	1358	P R	R 5083	
			17												Sp. Or.	132, 397 T	4109	52007
20			17															

IN THE MATTER OF THE APPLICATION)
OF LEO M. CASE FOR APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4109

On December 18, 1978, an application was filed in the office of the Water Resources Director by Leo M. Case for approval of a change in place of use of water from Deer Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 4205, Volume 5, State Record of Water Right Certificates, in the name of W. C. Hawk, describes a right which includes the use of not to exceed 1/40th cubic foot per second per acre from Deer Creek for irrigation of a certain 20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 23 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Township 10 South, Range 38 East, W.M., with a date of priority of 1888, and 20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Township 10 South, Range 38 East, W.M., with a date of priority of 1880.

Water for the said right is diverted, through the Jones and Cook Ditch, from a point located 66 feet North and 200 feet West from the Southeast Corner of Section 8, and through the Hawk Ditch, from a point located 790 feet North and 460 feet West from the Southeast Corner of Section 8, both being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 10 South, Range 38 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use and, without loss of priority, to irrigate in lieu thereof a certain 20.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8 with a priority date of 1880, 6.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8 with a priority date of 1888, and 20.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 17.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17 with a priority date of 1888, all in Township 10 South, Range 38 East, W.M.

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, 1980.

7-4109

10 SOUTH RANGE 38 EAST 14 N

little

Hand-drawn map of the study area. A wavy line represents the Main Deer Creek. A small circle marks the location of the study site, which is labeled 'Study Site'.

RECEIVED

JAN 26 1979

WATER RESOURCES DEPT.
SALEM, OREGON

THE
W
C
L
R

DEC 18 1978

WATER RESOURCES DEPT.
SALEM, OREGON

10. 11. 1901

(3)
H. H. H. H.
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H. H. H. H.
H. H. H. H.
H. H. H. H.

of C. M. is an old marker. It is now so heavily overgrown that this
entry was made from across the road by the C. M. and that it
could not be seen even in the heaviest and most rainy seasons of sand.
We therefore are making a small marker connected with the location
of the monument of the old C. M. in the same place probably
that has been a long time in it and is now to be removed
with the monument soon. It is not

1871

Stewart

Township 10 South

Range 38 East

DITCHES and WATERUSERS

Arthur Ditch No.1

D.Arthur
T.B.Taylor

Arthur Ditch No.2

D.Arthur
T.Tibbs

Bacon Ditch No.1

J.E.Bacon
T.Tibbs

Bacon Ditch No.2

J.E.Bacon

Beard Ditches

Frank Beard

Bostwick Ditch

Roy Bostwick
F. DeFreese

Calhoun Ditches

J.H. Calhoun

Cronin Ditches

Mrs. Mary Cronin

Duckworth

M.J. Jennings

Edmunston

J.L. Edmunston

Hawk

G.W. Hawk

Hughes

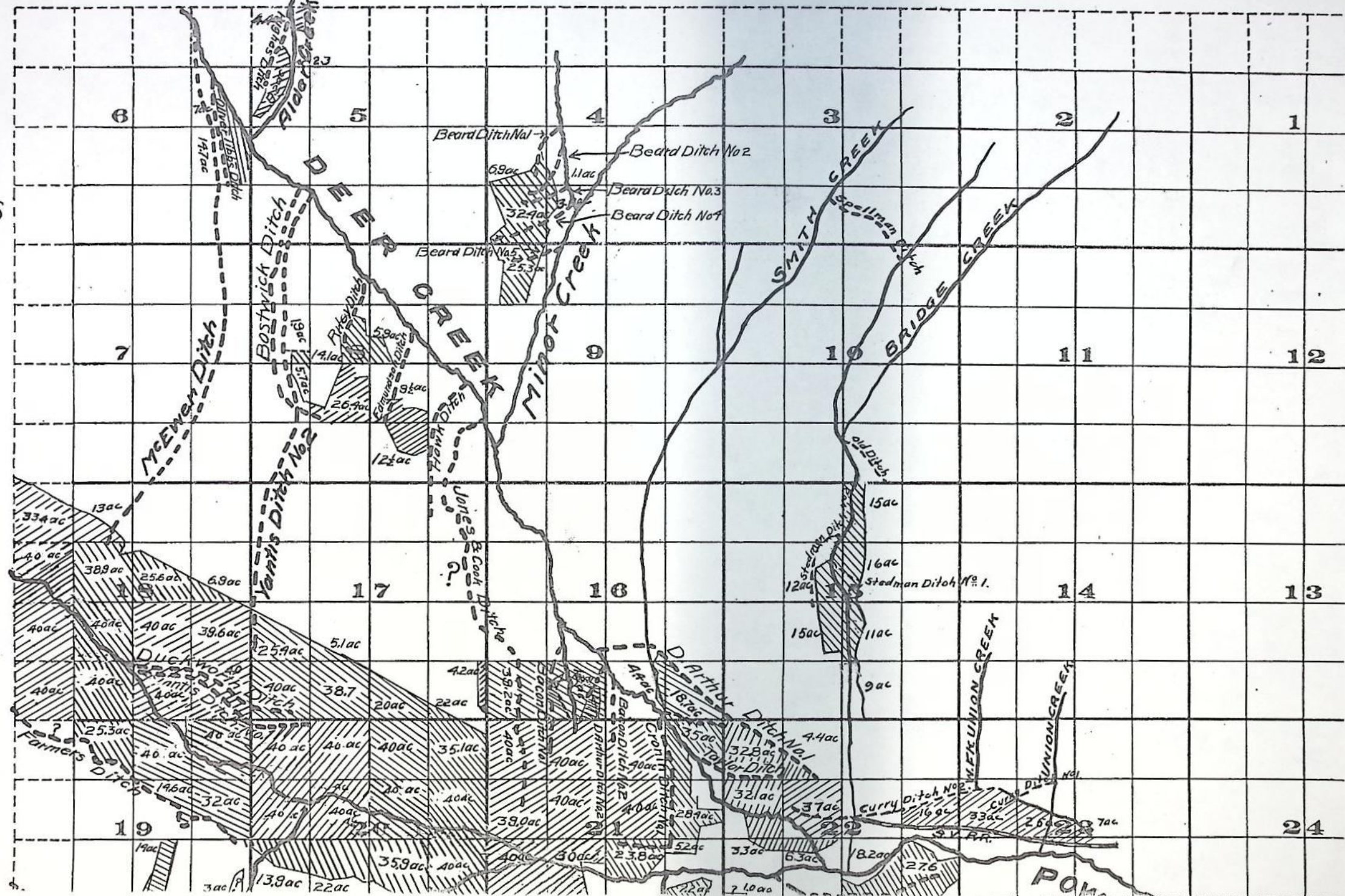
M.J. Hughes

Jones & Cook

C.H. Gardner

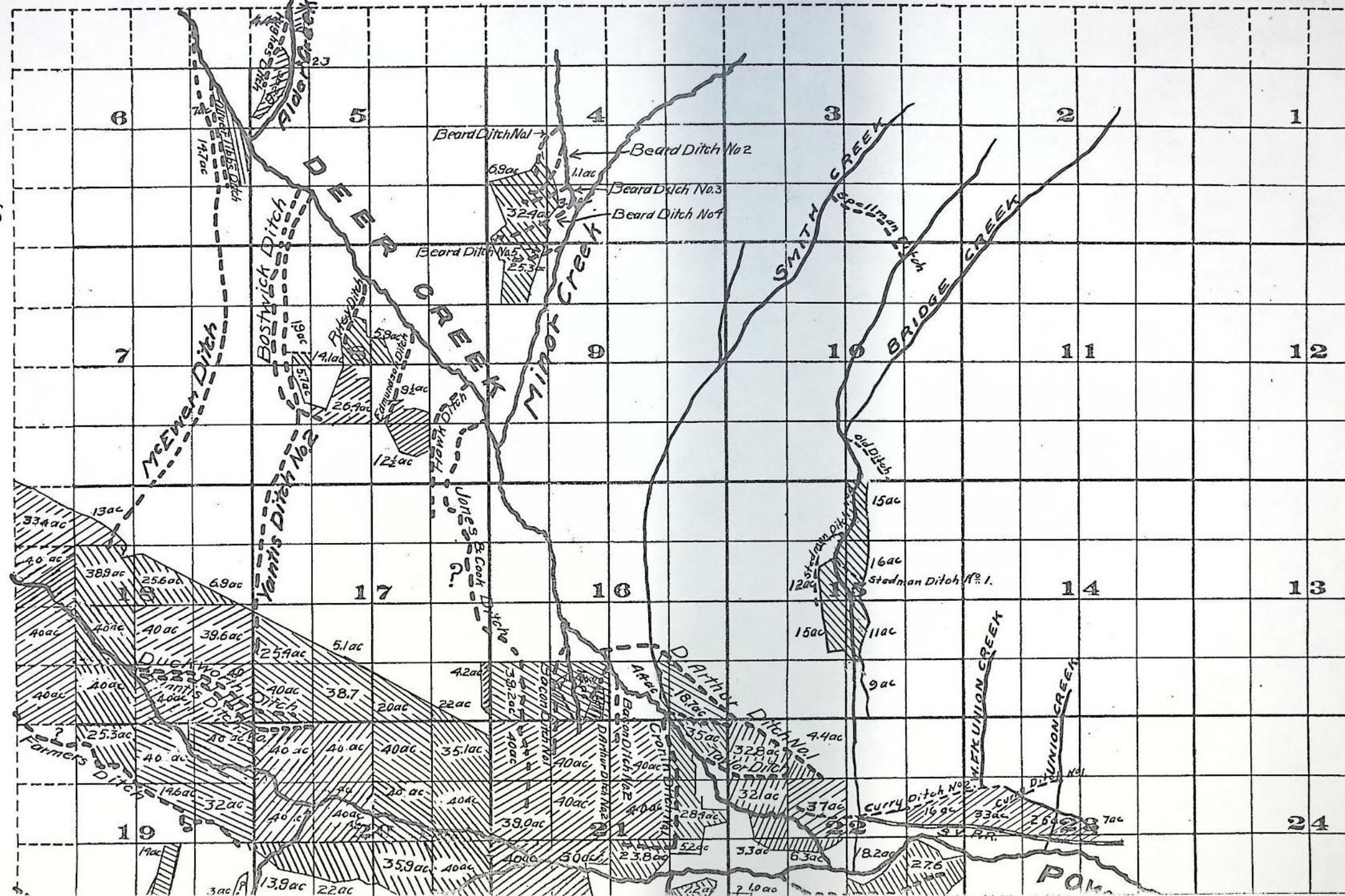
C.A. & Thos. Tibbs

J.E. Bacon



Range 38 East.

JE Bacon



DEER CR → POWDER R

IIR T-0982-C1

*** OREGON WATER RESOURCES DEPARTMENT ***
*** WATER RIGHTS DIVISION ***
*** WATER RIGHT DATA INPUT FORM ***

PAGE 1
RUN ON: 3/20/81 AT: 9:08

WATER RIGHT NO. 1000041091 PERMIT NO. 006395 CERTIF. NO.
ORIG. NO. C000042051 PREV. NO. C000042051 SUPER. NO.

NAME: LEO M. CASE

ADDRESS: BOX 55A, SUMPTER STAGE

CITY/STATE/ZIP/COUNTY: BAKER, OR 97814

01

STREAM-ID 094060 3780

RIV. MI.

WM. DIST. 08 W.R. TYPE SC STATUS V

CANCEL YEAR-->

CONSTR. COMPLT--> 09 24 1979

YR. LAST USED-->

NEXT ACTION DUE-->

PRIORITY--> 12 31 1880

PUT TO USE--> 09 24 1979

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION--> 12 18 1978

SURVEYED-->

EXAM. FEE--> 20.00

RECORDING FEE--> 10.00

PERMIT ISSUE--> 09 19 1979

CONCURRENCE-->

CYCLE STATUS-->

REPORTED FLAG-->

CONSTR. STRT.--> 09 19 1979

CERTIFIED-->

CORRES. INIT.-->

CORRES. DATE-->

POINT-OF-DIVERSION DATA:
TWNSP RNGE SECT QTR/QTR STREAM-ID

RIV. MI. RATE

STATUS S OR P

100S 380E 08 D D 094060 3780

0.500

V P

** REMARKS; - - - - ->
** DATED-->

** POB; JONES & COOK DITCH, 66' N &

** 200' W FM SE COR S 8; HAWK

** DITCH, 790' N & 960' W FM SE COR S 8.

** CHANGES POW PART OF C-7205

** RR C-50116. SEE 1000041092

** - - - - -

** - - - - -

PLACE-OF-USE DATA:
TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

100S 380E 08 D A 01 1R 100 20.00

V P

50116

W.R.I.S.

Assembled 4-9-85 by SDP

Entered by

Verified by

DEER CR → POWDER

IIR T-0982-C1

*** OREGON WATER RESOURCES DEPARTMENT ***
 *** WATER RIGHTS DIVISION ***
 *** WATER RIGHT DATA INPUT FORM ***

 PAGE 1
 RUN ON: 3/20/81 AT: 9:08

 WATER RIGHT NO. 1000041091 PERMIT NO. 006395 CERTIF. NO.
 ORIG. NO. 0000042091 PREV. NO. 0000092091 SUPER. NO.

NAME: LEO M. CASE

ADDRESS: BOX 55A, SUMPTER STAGE

CITY/STATE/ZIP/COUNTY: BAKER, OR 97814

01

STREAM-ID 09 4060 3780

RIV. MI.

WM. DIST. 08 W.R. TYPE SC STATUS V

CANCEL YEAR----

CONSTR. COMPLT--> 09 24 1979

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 12 31 1888

PUT TO USE-----> 09 24 1979

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION--> 12 18 1978

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE-----> 10.00

PERMIT ISSUE--> 09 19 1979

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 09 19 1979

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

 POINT-OF-DIVERSION DATA;
 TWNSP RNGE SECT QTR/QTR STREAM-ID

1005 380E 08 D D 09 4060 3780

RIV. MI. RATE

1.075

STATUS S OR P

V P

 ** REMARKS;----->
 ** DATED-->

** PODI JONES & COOK DITCH, 66' N

** 200' W FM SE COR S 8; HAWK

** DITCH, 790' N & 460' W FM SE

** COR S 8; CHANGES POV PART

** OF C-4205. RR C-50116. SEE

** 1000041091.

**----->

 PLACE-OF-USE DATA:
 TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

1005 380E 08 D D 01 1R 100 6.00 V P

17 A A 20.00

17 A D 17.00

W.R.I.S.

Assembled 7-9-85 by SDH

Entered _____ by _____

Verified _____ by _____

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Hatley, N. Sumpter, Oregon.	1900		10	Irrigation		Powder	10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32 T. 9 S. R. 37 E.W.M.
Hawk, W. C. Bay City, Oregon	1886		35	Irrigation	Hawk #2	Moyes & Miner Creek	5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16 10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9 20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9
(Finding #26) T-7109-Pow #22 (a)	1888		53	Irrigation	Hawk	Deer Creek	23 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17 20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17
	1880		20	Irrigation	Jones & Cook	Deer Creek	20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17 T. 10 S. R. 38 E.W.M.
Hawkins, G. Bruce Baker, Oregon.	1899		✓ 160	Irrigation	Geddes-Snavely	Powder	40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22 T. 8 S. R. 40 E.W.M.
Hawley, W. R. Sumpter, Oregon	Feb. 16 1886	2.5	250.3 (8.5 H.P.)	Irrigation & Power	Duckworth	Powder	30 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11 27 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 17.34 ✓ 21.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 21.3 ✓ 30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 10.91 ✓ 37 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 17.16 ✓ 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 9.51 ✓ 25 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 6.51 ✓ Section 10 T. 10 S. R. 37 E.W.M.
	1892 June 8	*	10	Irrigation	Tibbs	Powder	10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 3.02 ✓
	1891	* part transferred - Sp. Or. Vol. 5, p. 315.	40	Irrigation	Swamp	Powder	40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11 T. 10 S. R. 37 E.W.M.
Hayes, J. P. Baker, Oregon	1888		✓ 113	Irrigation	Hayes #1, 2, 3, 4	Powder	40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18 33 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18 T. 9 S. R. 40 E.W.M.
Healey, H. B. Richland, Oregon	1888		34	Irrigation	Healy	Powder	11 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19 5.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19 1.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18 16 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18 T. 9 S. R. 45 E.W.M.
Hendricks, W. F. La Grande, Oregon	1906		17	Irrigation		Antelope Creek Spring on SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34 T. 5 S. R. 40 E.W.M.	14 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34 3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34 T. 5 S. R. 40 E.W.M.
Henner, Jos. F. Haines, Oregon	1865 1868 1888		30 57 20	Irrigation	Town Ditch Haines, & Slough	Rock & Sand Creeks Slough or Fish Creek	40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33 27 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33 T. 7 S. R. 39 E.W.M.

POWDER RIVER -99-

Sec. TP. 4 Range

Recorded ... Vol. 13, p. 52

Decree ... May 31, 1924

Recorded ... Vol. 7, p. 432

Recorded ... Vol. 7, p. 432

Recorded ... Vol. 7, p. 432

Water Right Information For:

Leo Case

Date 11-8-78

Permit or Cert. No.	Source	Priority	Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				
						NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
C-4205	Mages & Mims Cr. Hawk #2	1886	10 S	38E	16						5											
C-4205	Deer Creek Hawk ditch	1888	10 S	38E	8																	
C-4205	Deer Cr. Hawk #1111 dch	1888	10 S	38E	17	20			(23)													
C-4205	Deer Cr Jones & Cook	1880	10 S	38E	17	(20)																

Remarks:

Twps. are South Range is E.W.M. Above Figures are acres

Watermaster Dist. 8
 Courthouse
 Baker, Oregon

TOWNSHIP <u>10 S</u> RANGE <u>38 E</u> W. M.																SECTION <u>8</u>		
N E				N W				S W				S E				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
20																Powder R		3982
				30	22			16								12461	8813	7941
								37 ²			7 ²					Powder R		4108
												30	40			Powder R		4124
															10	Powder R		4205
								37 ²			7 ²					12628	9109	CANCELLED
								2 ⁸			32 ⁸					Decree, Vol. 14 Page 389 Decree, Vol 6 Page 502		
	30 ²	4 ² 16 ²		30 ² 03		40 ² 28 ²												10835
	2	18 ²		x												15491	11377	11049
																10 ² T-4109		1888
																6 ² T-4109		1888
												12 ²				8 ² T-4109		1880
																10 ² T-4109		1888

TOWNSHIP <u>10 S</u> RANGE <u>38 E</u> W. M.																SECTION <u>17</u>		
N E				N W				S W				S E				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
40		23														Powder R		4205
								5.1	10.4	40	38.7			20		Powder R		4580
														30		Powder R		4162
40				40	40											12628	9109	
								Min	Min	Min		Min				18622	14259	CANCELED
								1200				1200				R-31037	R-5083	
20		23 ²														T-4109		1888
20																T-4109		1880
20 ²		17 ²														T-4109		1888