

4170 Erwin

Name Vera Erwin

4170

By _____

Address 1810 Myrtle St.
Baker, OR 97814

Change in POD

Date filed March 9, 1979

Date of hearing Oct 24, 1979

Place of hearing Baker

Date of order 11-13-79 Vol. 32, page 492

Date for application of water completed

Proof mailed _____

Proof received _____

Certificate issued JUL 24 1992 Vol. _____, page 67625

DESCRIPTION OF WATER RIGHT

Name of stream Powder River

Trib. of _____ County of Baker

Use _____

Quantity of water _____ No. of acres 48-

Name of ditch Baldock Ditch

Date of priority 1887

In name of Priscilla Baldock

Powder River Adjudication, Vol. 6, page 359

App. No. _____ Per. No. _____ Cert. No. 3992

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-9-79</u>	<u>85-</u>	<u>9571</u>
TOTAL . . .		
	Cert. Fee	

Democrat-Herald #32.50 pd 10/9/79 ck# 3816

FEES REFUNDED

Date	Amount	Check No.
<u>10-9-79</u>	<u>17.50</u>	<u>3817</u>

*EX 20-
POD 15-
POD 32.50
67.50*

REMARKS

Surveyed 8/5/81

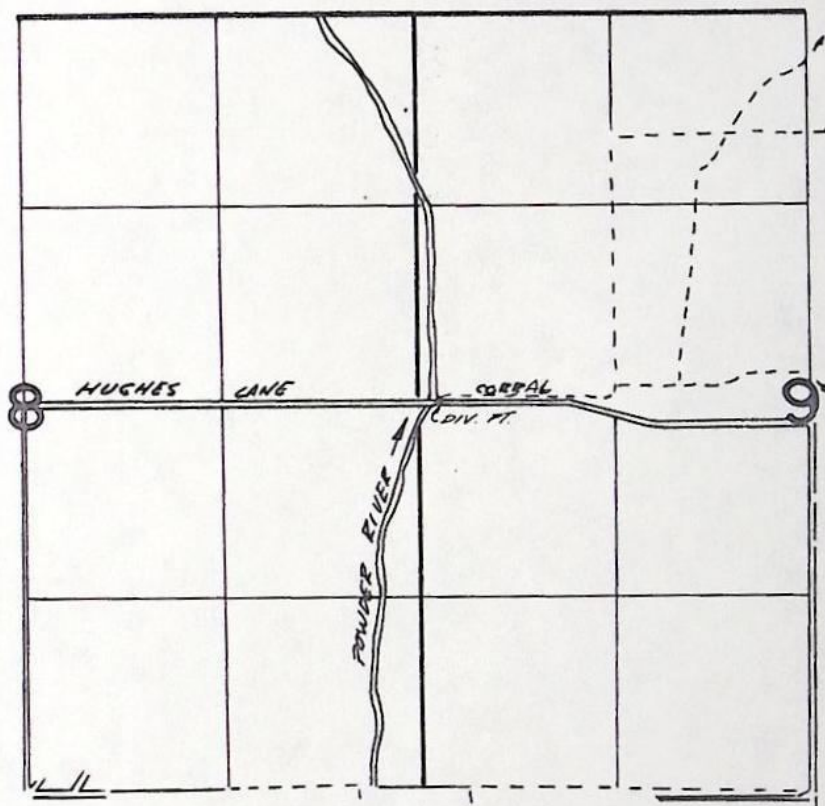
to survey 11/79

Myler is same as int 4171

W.R.I.S.	
Assessed <u>7-25-85</u> by <u>SEA</u>	
Entered _____ by _____	
Verified _____ by _____	

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

T. 9S., R. 40E., W. M.



DIV. PT. LOCATED 50' N + 2720' E FROM CENTER SEC 8

FINAL PROOF SURVEY

UNDER

TRANSFER 4170

Application No. _____ Permit No. _____
IN NAME OF

_____ VERA ERWIN _____

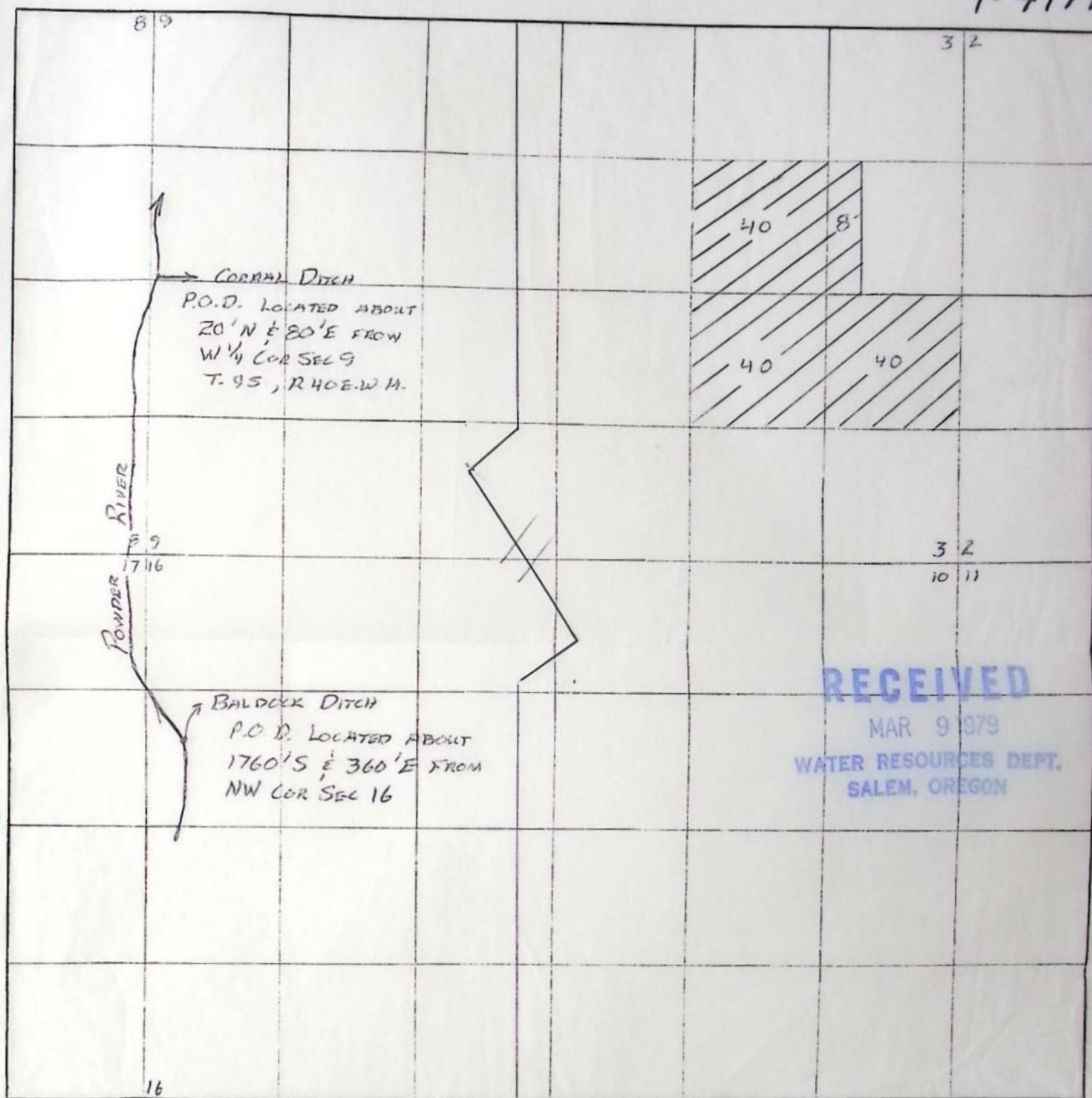
Surveyed Aug. 5, 1981, by Vernon L. Church

TOWNSHIP.....9.....S.

RANGE.....40.....E.W.M.

T-4170

T-4171



MAP TO ACCOMPANY APPLICATION OF: TRANS. POINT OF DIVERSION

Name VERA ERWIN AND WAYNE MORRISCounty BAKERDate DEC 14, 1978Scale 4 inches to 1 Mile

THIS MAP PREPARED BY:

Note:

FROM INFORMATION FURNISHED BY
THE APPLICANT.MAP PREPARED FROM: DISTRIBUTION MAP & ASSESSOR'S PLATS

MAP DRAWN BY:

SIGNED BY APPLICANT:

STATE OF OREGON
COUNTY OF BAKER
PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

VERA ERWIN
1810 MYRTLE STREET
BAKER CITY, OREGON 97814

confirms the right to use the waters of THE POWDER RIVER, a tributary of THE SNAKE RIVER, for IRRIGATION OF 48.0 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 date of priority is 1887.

The use is limited to 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, measured at the point of diversion.

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 under the subject right, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION LOCATED AT: SW 1/4 NW 1/4, SECTION 16, T 9 S, R 40 E, W.M.; BALDOCK DITCH - 1760 FEET SOUTH AND 360 FEET EAST FROM THE NW CORNER OF SECTION 16, and shall be subject to all other conditions and limitations contained in the Powder River Decree, page 291, Volume 6, Record of the State Water Board of the State of Oregon, and shall not exceed 1/40th cubic foot per second per acre.

The point of diversion is located as follows:

SW 1/4 NW 1/4, SECTION 9, T 9 S, R 40 E, W.M.; CORRAL DITCH - 50 FEET NORTH AND 2720 FEET EAST FROM THE CENTER 1/4 CORNER OF SECTION 8.

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

SW 1/4 NE 1/4 40.0 ACRES
SE 1/4 NE 1/4 8.0 ACRES
SECTION 3
TOWNSHIP 9 SOUTH, RANGE 40 EAST, W.M.

The diversion works which included an in-line flow meter, a weir or other suitable device for measuring the water to which the user is entitled shall be maintained to the satisfaction of the Watermaster.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 13, 1979, and supersedes Certificate 3992.

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.

T-4170.VLC

TA170

OF OREGON

OF BAKER

OF WATER RIGHT

Leave this wording in
1-29-96
vms

This is to Certify, That

1810 Myrtle Street

of Baker, State of

Vera Erwin
PRISCILLA BALDOCK

Oregon 91814 has a right to the use of

the waters of Powder River, a tributary of Snake River

for the purpose of the irrigation of 48 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 1887

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, if available at the original point of diversion in the SW¹/₄ NW¹/₄ Sec 16, T. 9S., R. 40E., WM; Baldock Ditch - 1700' S. & 400' E. from the NW Cor Sec 16.

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 Northeast quarter and 8 acres in the Southeast quarter of Northeast quarter of Section Three, Township Nine South, Range Forty East of Willamette Meridian, in Baker County, Oregon.

R.O.D. - SW¹/₄ NW¹/₄ Sec 9, T. 9S., R. 40E., WM.; Corral Ditch - 50' N. & 2720' E. from the Center 1/4 Cor. Section 8, T. 9S., R. 40E.

40.0 ac SW¹/₄ NE¹/₄

8.0 ac SE¹/₄ NE¹/₄

Sec 3

T. 9S., R. 40E., WM

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered 11-13-79 and supersedes certificate of water right recorded at page 3992, Volume 5, 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.

State Engineer, President

Attest:

R. W. POTTER

Secretary

Recorded in State Record of Water Right Certificates, Volume 5, page 3992

T-4170

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This is to Certify, That
 1810 Myrtle Street,
 of Baker, State of

Vera Erwin
 PRISCILLA BALDOCK

Oregon 91814 has a right to the use of

the waters of Powder River, a tributary of Snake River

for the purpose of the irrigation of 48 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 1887

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, if available at the original point of diversion in the SW⁴NW⁴ Sec 16, T. 9S., R. 40E., WM.; Baldock Ditch 1700' S. & 400' E. from the NW Cor Sec 16.

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 Northeast quarter and 8 acres in the Southeast quarter of Northeast quarter of Section Three, Township Nine South, Range Forty East of Willamette Meridian, in Baker County, Oregon.

P.O.D. - SW⁴NW⁴ Sec 9, T. 9S., R. 40E., WM.; Corral Ditch - 50' N. & 2720' E. from the Center 1/4 Cor. Section 8, T. 9S., R. 40E.

40.0 ac SW⁴NE⁴8.0 ac SE⁴NE⁴

Sec 3

T. 9S., R. 40E., WM

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State Engineer, President

Attest:

R. W. POTTER

Secretary

Recorded in State Record of Water Right Certificates, Volume 5, page 3992

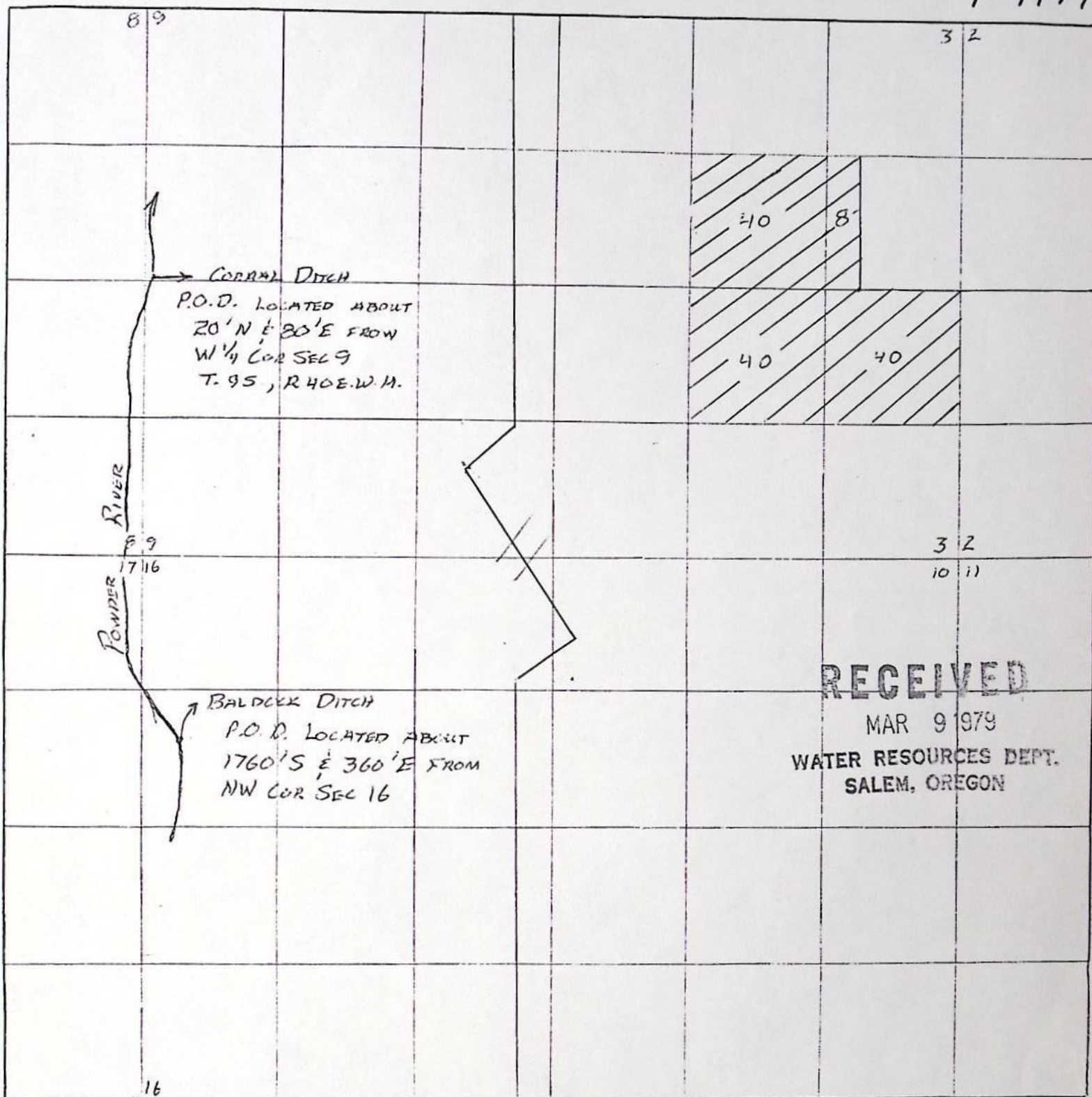
T-4170

TOWNSHIP.....9.....S.

RANGE.....40.....E.W.M.

T-4170

T-4171



MAP TO ACCOMPANY APPLICATION OF: TRANS. POINT OF DIVERSION

Name VERA ERWIN AND WAYNE MORRISCounty BAKERDate DEC 14, 1978Scale 4 inches to 1 Mile

THIS MAP PREPARED BY:

Note:

[Signature]
 FROM INFORMATION FURNISHED BY
 THE APPLICANT.

MAP PREPARED FROM: DISTRIBUTION MAP & ASSESSOR PLATS

SIGNED BY APPLICANT: _____

MAP DRAWN BY: _____

: POD
POU
USE
Add'1 POD

County BAKER

1. Name Vera Erwin

2. Source of Supply Powder River, Trib of

4. Amount of Water 1/40th cfs/ac Priority Date 1887

6. Completion Date COMPLETED

[illegible]

WAYNE MORRIS.

2 AGO.

POUNDER R,

IR 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. T000041701 PERMIT NO. 006359 CERTIF. NO.
ORIG. NO. C000039921 PREV. NO. C000039921 SUPER. NO.

NAME: VERA ERWIN

ADDRESS: 1810 MYRTLE ST

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

01

STREAM-ID 09 4060

RIV. MI.

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

CANCEL YEAR--->

CONSTR. COMPLT---> 11 13 1979

YR. LAST USED----->

NEXT ACTION DUE--->

PRIORITY-----> 12 31 1887

PUT TO USE-----> 11 13 1979

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION---> 03 09 1979

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE---> 11 13 1979

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.---> 11 13 1979

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

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

RIV. MI.

RATE

STATUS S OR P

0905 400E 09 B C 09 4060

1,200

V P

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

** POD: 20' N E 80' E PM W 1/4 COR S 9.

** CHANGES POD C-3992.

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

0905 400E 03 A C 01 1R 100 40.00 V P

A D

8.00

**-----

**-----

**-----

**-----

W.R.I.S.

Assembled 7-25-85 by SM

Entered _____ by _____

Verified _____ by _____



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

November 14, 1979

Vera Erwin
1810 Myrtle Street
Baker, Oregon 97814

RE: File No. T-4170

Dear Ms. Erwin:

Enclosed is a certified copy of the order of the Water Resources Director approving water right transfer application No. 4170 for a change in point of diversion of water from Powder River.

In line with the general practice of this office, a survey will be made at a later date.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:lcj
cc: V. Kent Searles, Watermaster

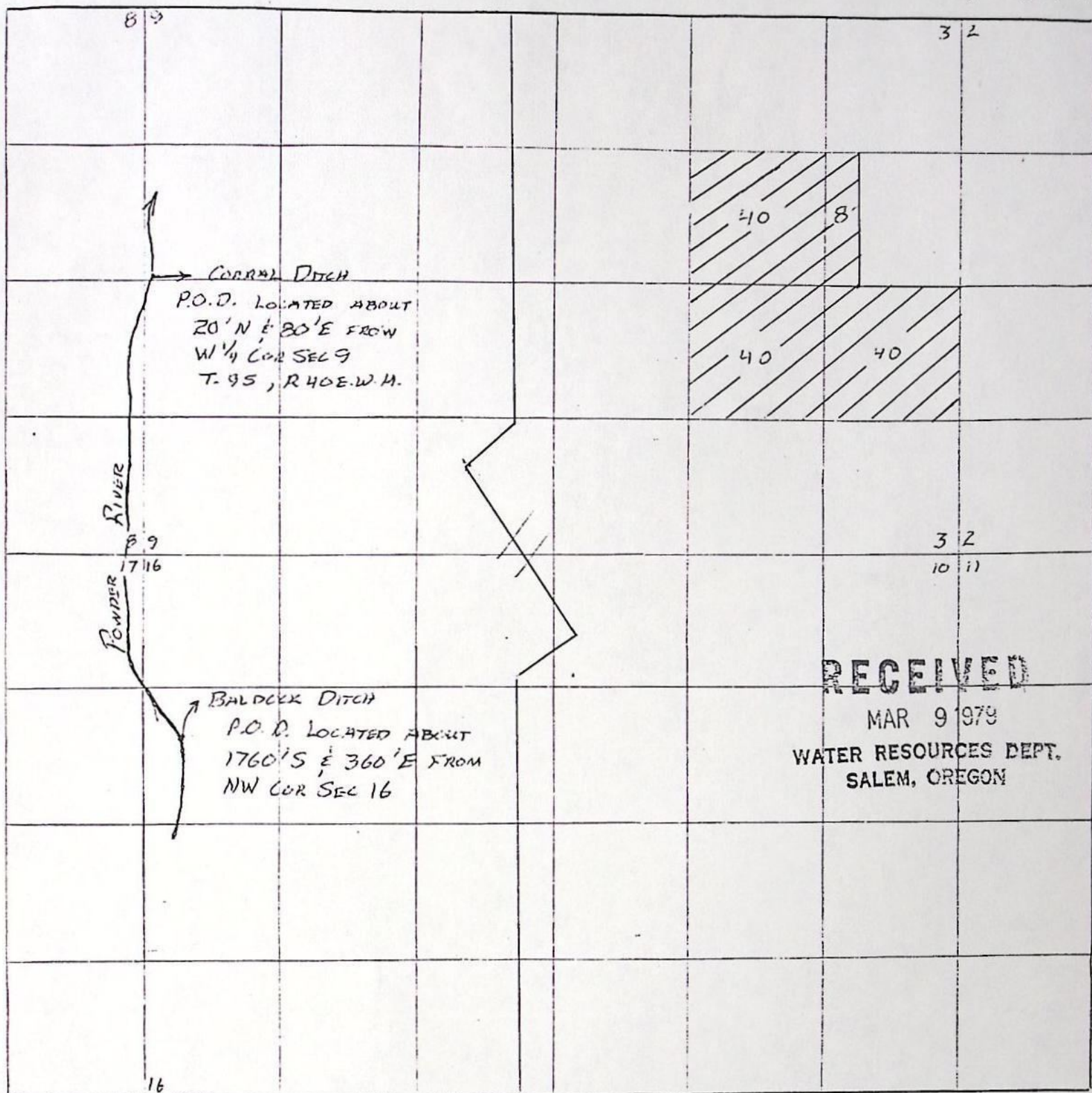
COPY

TOWNSHIP.....9.....S.

RANGE.....40.....E.W.M.

T-4170

T-4171



MAP TO ACCOMPANY APPLICATION OF: TRANS. POINT OF DIVERSION

Name VERA ERWIN AND WAYNE MORRISCounty BAKERDate DEC 14, 1978Scale 4 inches to 1 Mile

THIS MAP PREPARED BY:

Note:

[Signature]MAP PREPARED FROM: DISTRIBUTION MAP & ASSESSOR'S PLATS

TECH. INFORMATION

CHECKED BY

SIGNED BY APPLICANT:

MAP DRAWN BY:

T-4170

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, VERA ERWIN
(Name of applicant)
of 1810 MYRTLE, BAKER
(Mailing address) (City)
State of OREGON, 97814, 523-5441, do hereby make application for change
(Zip Code) (Phone number)
IN POINT OF DIVERSION
(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? No PRISCILLA BALDOCK
(If not, give name)
2. Was your water right determined by Decree of Court? Yes If so, give title of proceedings
POWDER RIVER DECREE Vol 6 Page 359 (Yes or No) number of certificate 3992
3. Was your water right acquired by Water Right Permit? No If so, give number
(Yes or No)
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 POWDER RIVER
5. What is the date of priority of your water right? 1887
6. The authorized point of diversion is located 1760 ft. S and 360 ft. E from the NW
(N. or S.) (E. or W.)
corner of SEC 16 being within the SW 1/4 NW 1/4 of Section 16 Tp. 9S R. 40E W. M.,
(No. N. or S.) (No. E. or W.)
in the county of BAKER The name of the ditch used is CORRAL BALDOCK DITCH

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

7. The proposed point of diversion is located 20 ft. N and 80 ft. E from the W
(N. or S.) (E. or W.)
corner of SEC 9 being within the SW 1/4 NW 1/4 of Section 9 Tp. 9S R. 40E W. M.,
(No. N. or S.) (No. E. or W.)
in the county of BAKER The name of the ditch to be used is CORRAL DITCH

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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
9S	40E	3	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40
"	"	"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	8

(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, 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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are DO AWAY WITH THREE MILES OF DITCH

15. Construction work will be completed on or before COMPLETED

16. The water will be completely applied to the proposed use on or before OCT 1, 1979

THIS APPLICATION PREPARED BY:

Remarks W. Kent Seasholtz
FROM INFORMATION FURNISHED BY
THE APPLICANT.

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.

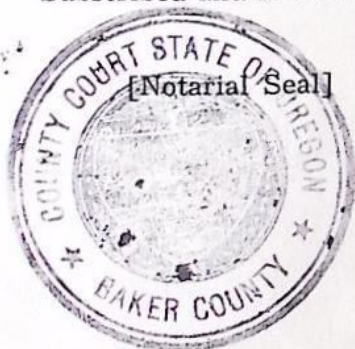
AFFIDAVIT OF APPLICANT

I, Vera Erwin, 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.

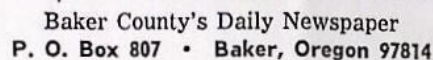
In Witness Whereof, I have hereunto set my hand this 5th day of March, 1979.

Vera Erwin.
(Name of applicant)

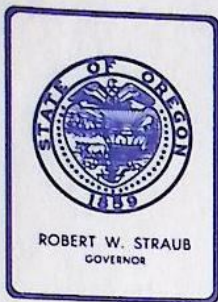
Subscribed and sworn to before me this 5th day of March, 1979.



Anita C. Johnson
NOTARY PUBLIC FOR OREGON
Baker County Clerk
My commission expires Baker Co.



A SERVICE CHARGE of 1½% per month (Annual Rate—18%) will be assessed on past due balances.



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

October 9, 1979

Vera Erwin
1810 Myrtle Street
Baker, Oregon 97814

RE: File No. T-4170

Dear Ms. Erwin:

The statutory fees and the cost of publication of notice, necessary to your water right transfer application No. 4170, amount to a total of \$67.50. The total of payments received in connection with the application exceeded this amount by \$17.50.

Our refund check No. 3817 is enclosed.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:lej

COPY



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

October 9, 1979

The Democrat-Herald
P.O. Box 807
Baker, Oregon 97814

RE: File No. T-4170

Gentlemen:

Enclosed is our check No. 3816 in the amount of
\$52.50 in payment of your statement.

Please receipt the enclosed statement and return
it to this office. Thank you.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:lcj

COPY

STATEMENT

BAKER
Democrat & Herald

PUBLISHED DAILY EXCEPT SUNDAY

P. O. BOX 807

BAKER, OREGON 97814

Water Resources Department
Mill Creek Office Park
555 13th Street N.E.
Salem, Oregon 97310

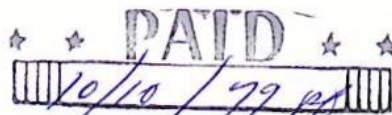
August, 31, 1979-Legal Advertisement #146
Notice of Water Right Transfer
6½" @ 2.00 Per Inch. 13.00

September 7, 1979-Legal Advertisement #146
Notice
6½" @ 1.50 Per Inch. 7.75

September 14, 1979-Legal Advertisement #146
Notice
6½" @ 1.50 Per Inch. 9.75

Total Due=32.50

T-4170





STATE OF OREGON

INTEROFFICE MEMO

RECEIVED

NOV - 2 1979

TO: Samuel R. Allison

DATE: 10-31-79 WATER RESOURCES DEPT
SALEM, OREGON

FROM: V. Kent Searles *VKS*

SUBJECT: File Nos. T-4170, T-4171

Enclosed please find a copy of an Ira L. Hoffman map and attached "Application for a Permit" that was found in some misplaced County Surveyor records. This information seems to indicate that the Baldock and New Home Ditches were in their present location as far back as possibly 1920.

RECEIVED

NOV - 21 1979

WATER RESOURCES DEPT
SALEM, OREGON

APPLICATION FOR A PERMIT to locate a New Head or Diversion Point in Powder River and construct a Connecting Ditch with the Baldeck Slough for all "Water Users" now receiving water through the said Baldeck Slough North of the South line of Secs. 15 & 16, T 9 S, R 40 E, W.M., Baker County, Oregon.

We, the individual members of an unorganized Co-operative Association of "Water Users" who now receive water from Powder River through the said Baldeck Slough and who receive our said water from the said Baldeck Slough North of the South line of the said Secs. 15 & 16, T 9 S, R 40 E, W.M., Ore.

All said persons being of Baker, Ore., do by and through ~~us~~ their President and Secretary, hereby make application for a permit to change the point of Diversion of the waters used by us from the present Head in the East Bank of Powder River which is located 8.70chs East ~~of the~~ and 60 links South of the Southwest corner of the said Sec. 16, T 9 S, R 40 E., to a point in the East bank of the present channel of the said Powder River, which is located 13.80chs North and 5.50chs East of the " $\frac{1}{4}$ " Sec. corner on line between the said Secs 16 & 17, and to construct a Dam and Headgate at the said point of diversion and to construct a ditch from the said new diversion point, north and east to a connection with the aforesaid Baldeck Slough at a point which is 10.00chs West and 7.00chs South of the Northeast corner of the said Sec. 16, T 9 S, R 40 E, W.M., Baker County, Ore.

The reasons which impell us to ask for the aforesaid change of point of Diversion are; to remove ~~the~~ our interest in the said old Baldeck Slough as the same is now located, as far from the builtup district of the City of Baker as possible; To reduce the maintenance costs and for convenience.

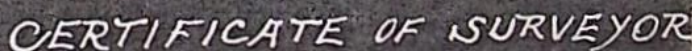
Members of the

President of

Secretary

WATER RESOURCES DEPT
SALEM, OREGON

R 40 E, W. M., ORE.



1, IRA L. HOFFMAN OF BAKER, ORE. D
HEREBY CERTIFY THAT THIS SKETCH
WAS MADE FROM NOTES TAKEN
DURING AN ACTUAL SURVEY MADE
BY ME ON SEPT. 13, 1920 & OTHER
MAPS AND THAT IT CORRECTLY RE-
PRESENTS THE DATA SHOWN THEREON
NO OTHER STREAMS OR DITCHES BETW

SCALE, ONE INCH = 10.00 CHS.
SURVEYS MADE, SEPT. 13, 1920

By Ira L. Hoffman,
County Surveyor.

Ira L. Hoffman,
County Surveyor



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: MARCH 19, 1979.FROM: ** V. Kent Searles, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4170IN THE NAME OF Vera Erwin

In my ~~opinion the proposed change~~ in point of diversion from Powder River
MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

Headgate notices HAVE? HAVE NOT been issued for diversion from the sources which serves this right.

If for change in point of diversion, is there any intervening point of diversion between the authorized and the proposed points of diversion? YES
(yes or no)

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- Per JWC* ✓ (1) PRIOR to the diverting of water at the new point of diversion . . .
✓ (2) When in the judgment of the watermaster it becomes necessary . . .

CORRAL DIVERSION OK

* The approval of this transfer application would result in injury to other water rights because _____

** V. Kent Searles
Watermaster's signature or initials

**NOTICE OF WATER RIGHT
TRANSFER APPLICATION**

The Water Resources Director of Oregon has received and filed an application by Vera Erwin for approval, without loss of priority, of a change in point of diversion of water under a certain water right.

The affected water right is described by the certificate recorded at page 3992, Volume 5, State Record of Water Right Certificates, in the name of Priscilla Baldock, and is for the use of water from Powder River, under a priority date of 1887, for irrigation of a certain 40.0 ac in SW 1/4 NE 1/4 and 8.0 ac in SE 1/4 NE 1/4 of Sec 3, T 9S, R 40E, WM.

The authorized point of diversion is located 1760 ft S & 360 ft E from the NW Corner of Sec 16, being within the SW 1/4 NW 1/4 of Sec 16, T 9S, R 40E, WM (Baldock Ditch).

The applicant proposes to change the point of diversion therefrom to a point located 20 ft N & 80 ft E from the W 1/4 Corner of Sec 9, being within the SW 1/4 NW 1/4 of Sec 9, T 9S, R 40E, WM (Corral Ditch).

Pursuant to ORS 540.520 (2), a hearing is scheduled for 9:30 a.m. on Wednesday, October 24, 1979, at the Baker County Courthouse, Baker, Oregon. Any objection to the proposed change must be prepared in writing; one copy to be served on the applicant at 1810 Myrtle, Baker, OR 97814; and one copy filed in the office of the Water Resources Director, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. Rules for filing objections will be furnished upon request.

IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING.

Dated at Salem, Oregon this 24th day of August, 1979.

James E. Sexson
Director

Legal No. 146
Publish August 31 and September 7 and 14, 1979

AFFIDAVIT OF PUBLICATION

Baker, Oregon, September 31, 1979

STATE OF OREGON,
County of Baker

ss.

I, Patsy Hicks, being first duly sworn, depose and say that I am the Principal Clerk of the Baker Democrat-Herald which is a Daily (except Sunday) 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 Legal Advertisement #146 Notice, and has more than 200 bona fide subscribers within said county; that the Legal Advertisement 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 three successive and consecutive times being published three times commencing with the issue dated the 31st day of August, 1979, and ending with the issue dated the 14th day of September, 1979, and that the dates of publication were August 31, 1979, September 7, 1979,
September 14, 1979

Patsy Hicks

Subscribed and sworn to before me this 31st day of September, 1979

Sharon Luge
Notary Public for Oregon.

My commission expires September 8, 1982





Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

August 24, 1979

Democrat-Herald
P.O. Box 807
Baker, Oregon 97814

RE: File No. T-4170

Gentlemen:

Enclosed is a notice for publication in the August 31 and September 7 and 14, 1979, issues of your newspaper.

If, for any reason, the notice cannot be published on the three dates specified above, please return it to this office.

Upon completion, please forward an affidavit of publication and statement for this service to this office.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:lcj
cc: Vera Erwin
cc: V. Kent Searles, Watermaster



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

June 1, 1979

V. Kent Searles
Watermaster, District #8
Baker County Courthouse
Baker, Oregon 97814

RE: Files Nos. T-4170, T-4171

Dear Kent:

We have been withholding action on transfer applications Nos. 4170 and 4171 in the names of Vera Erwin and Wayne Morris pending receipt of your report regarding the location of the authorized point of diversion for Baldock Ditch.

According to the map prepared during the Powder River adjudication proceeding, the Baldock Ditch diverted water from Powder River near the south line of Section 16, T 9S, R 40E, WM. However, the transfer applications, Nos. 4170 and 4171, locate the point of diversion for Baldock Ditch in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 16.

Upon receipt of your report, we can proceed with the processing of the applications.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj

March 16, 1979

Vera Erwin
1810 Myrtle Street
Baker, Oregon 97814

RE: File No. T-4170

Dear Mrs. Erwin:

Your water right transfer application for approval of a change in point of diversion of water from Powder River, together with supporting data and payment of fees in the amount of \$85, was received March 9, 1979. Our receipt No. 9571 is enclosed.

By copy of this letter, we are asking the watermaster for his usual report regarding the proposed change, and when the point of diversion for Baldock Ditch was established at its present location.

Upon receipt to the report from the watermaster, we will prepare the notice of your proposed change to be published in the Democrat-Herald at Baker. Please refer any correspondence to file No. T4170.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj
cc: V. Kent Searles, Watermaster

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
3925 Baker City Lodge #25, I.O.O.F. Baker, Oregon. <i>Baker Co.</i>	1876		15	Irrigation	Cemetery Ditch	Sutton Creek	15 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21. T. 9 S. R. 40 E. W. M.
3989 Baker Lodge #47 A.F. & A.M. by Joe Woods, Baker, Oregon. <i>Baker Co.</i>	1876		20	Irrigation	Cemetery Ditch	Sutton Creek	20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21. T. 9 S. R. 40 E. W. M.
4767 Baker City Mutual Irrigation Company Baker, Oregon by H. Kirkpatrick Baker, Oregon. (Finding #97, 32 & 53) <i>Baker Co.</i>	1869	Transf. Sp. Or. Vol. 1, p. 181 pt. " " " " 3, p. 99 See also " " 6, p. 238	✓60	Irrigation	Baker City Mutual Co.	Powder	Place of use: Within City limits of City of Baker. (See Finding #97)
3991 Baker City Packing Co. by Wm. Duby Baker, Oregon. <i>Baker Co.</i>	1899		80	Irrigation	Williams McDougal	Powder	40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3 T. 9 S. R. 40 E. W. M.
Baldock, Emma				(See Edgar I. Hindman, successor in interest)			
3992 Baldock, Priscilla Baker, Oregon (Finding #32 & 52) <i>Baker Co.</i>	1887 T-4170-POD all		✓48	Irrigation	Baldock Slough	Powder	40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3 8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 3 T. 9 S. R. 40 E. W. M.
3993 Balm Creek Orchard Company by O.C. Finkelburg Baker, Oregon. <i>Baker Co.</i> (Finding # 82)	Aug. 1904		130	Irrigation	Fuchs	Balm Creek	30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18 15 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29 T. 8 S. R. 43 E. W. M. 5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13 T. 8 S. R. 42 E. W. M.
3994 Barger, J. W. North Powder Oregon <i>Union Co.</i>	July 14, 1887		18	Irrigation	Ashby	Jimmie Creek-	5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24 13 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25 T. 5 S. R. 39 E. W. M. 259
3995 Bauer, H. F. North Powder, Ore. <i>Union Co.</i>	1892 1897 1887		6 4 6	Irrigation Irrigation Irrigation	Harrison Center Harrison	Wolf Creek Wolf Creek Wolf Creek	16 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 3 T. 6 S. R. 38 E. W. M.
3996 Beckwith, Nancy G. Baker, Oregon. <i>Baker Co.</i> (T-3940 POD all)	1898		45	Irrigation	Spring Creek & Beckwith	Spring & Pine Creek	10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30 35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30 T. 8 S. R. 39 E. W. M.
3997 Bennett, Claude E. Keating, Oregon <i>Baker Co.</i> (Finding #82)	1878 Mar. 9 1889		100 50	Irrigation Irrigation	Cranston #1 Bennett #1	Balm Creek Balm Creek	35.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26 25 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26 25 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13 35 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13
	1892 1893 1905		63.5 50 39	Irrigation Irrigation Irrigation	Harrington Hulick Bennett Spring & Small Ditch	Balm Creek Balm Creek Balm Creek Balm Creek	30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22 22 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22 40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24 31 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24 18 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24 T. 8 S. R. 42 E. W. M.
3998 Benson, Clark Haines, Oregon (Finding #86) <i>Baker Co.</i>	1868 1898		30 50	Irrigation		Rock Creek	40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2 T. 8 S. R. 38 E. W. M.

POWDER RIVER -70-

Sec. TP. 1 Range

Recorded Vol. 13, p. 52

Recorded Vol. 7, p. 432

Recorded Vol. 7