Receipt No.

Check No.

4182

Cross Ref.

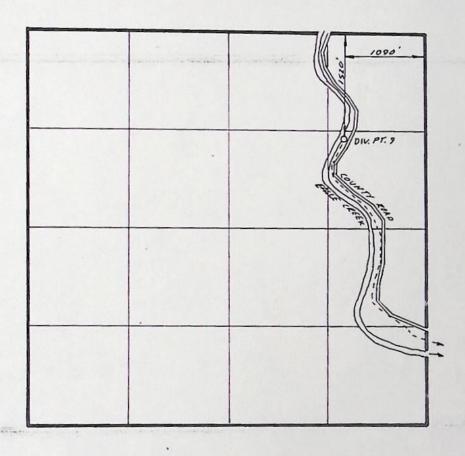
16802

T-4453

FROM

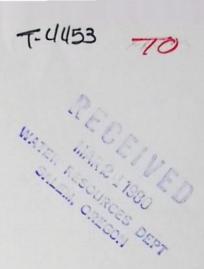
T 8S R 45E

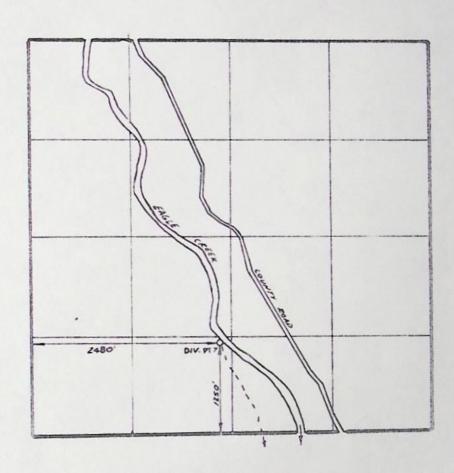
SECTION 29



TOBIN DITCH

T 8S R 45E W.M. SECTION 33





WATERBURY DITCH

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON BAKER COUNTY

IN THE MATTER OF THE APPLICATION)
OF JOHN W. WRIGHT FOR APPROVAL OF)
A CHANGE IN POINT OF DIVERSION OF)
WATER)

ORDER APPROVING TRANSFER NO. 4453

On March 24, 1980, an application was filed in the office of the Water Resources Director by John W. Wright for approval of a change in point of diversion from Eagle Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Baker County, Oregon, entered March 18, 1918, in the Matter of the Determination of the Relative Rights of the Various Claimants to the Use of the Waters of Powder River and Its Tributaries, a water right was allowed in the name of Mrs. T. A. Cobb for use of waters of Eagle Creek for irrigation of, among other lands, a certain 9.8 acres in SW 1/4 SE 1/4, Section 33, Township 8 South, Range 45 East, W.M., being tabulated at Volume 6, page 468, with a date of priority of 1896, as evidenced by certificate recorded at page 4624, Volume 5, State Record of Water Right Certificates.

The authorized point of diversion is located 1520 feet South and 1090 feet West from the Northeast Corner of Section 29, being within the SE 1/4 NE 1/4 of Section 29, Township 8 South, Range 45 East, W.M. (Robin (Tobin) Ditch).

The applicant proposes to change the point of diversion therefrom, without loss of priority, to a point located 1250 feet North and 2480 feet East from the Southwest Corner of Section 33, being within the SE 1/4 SW 1/4 of Section 33, Township 8 South, Range 45 East, W.M. (Waterbury-Allen Ditch).

Notice of the application, pursuant to ORS 540.520(2), was published in the Democrat-Herald, a newspaper printed and having general circulation in Baker County, Oregon, for a period of three weeks in the issues of April 16, 23, and 30, 1980.

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

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

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

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

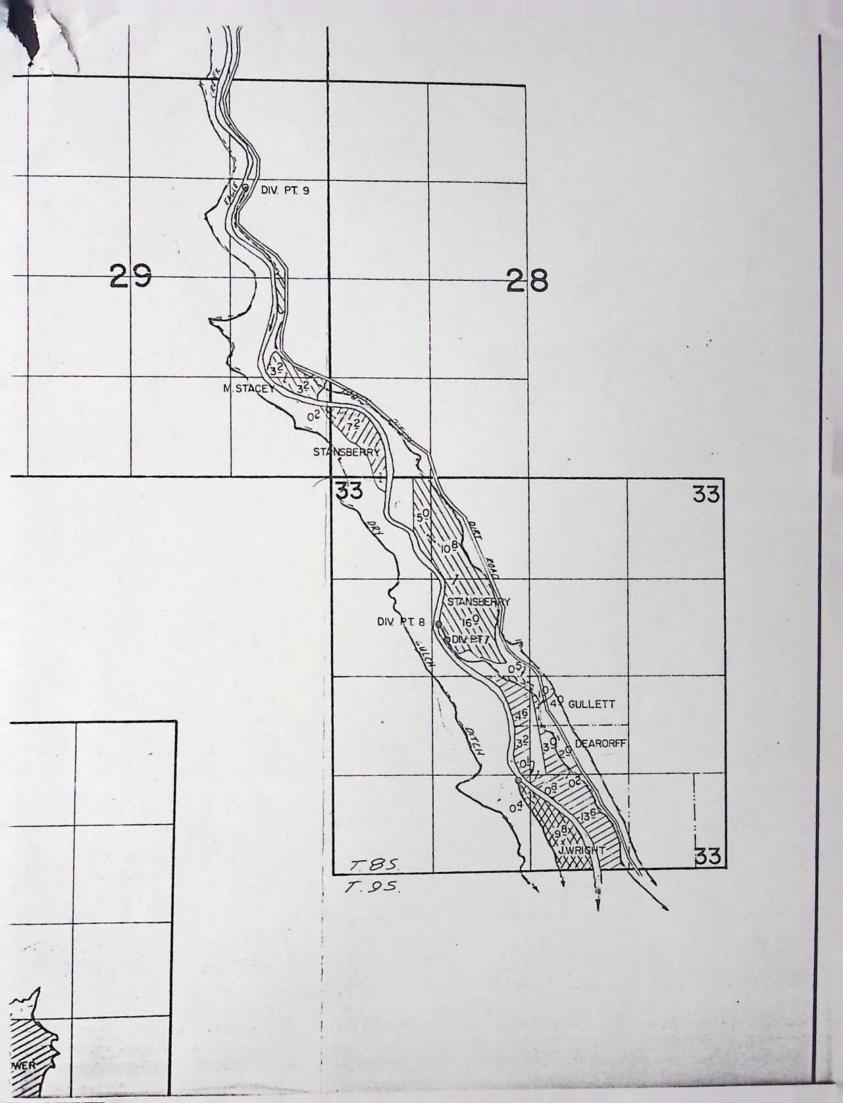
It is FURTHER ORDERED that NO time need be fixed for completion as the change in point of diversion is completed.

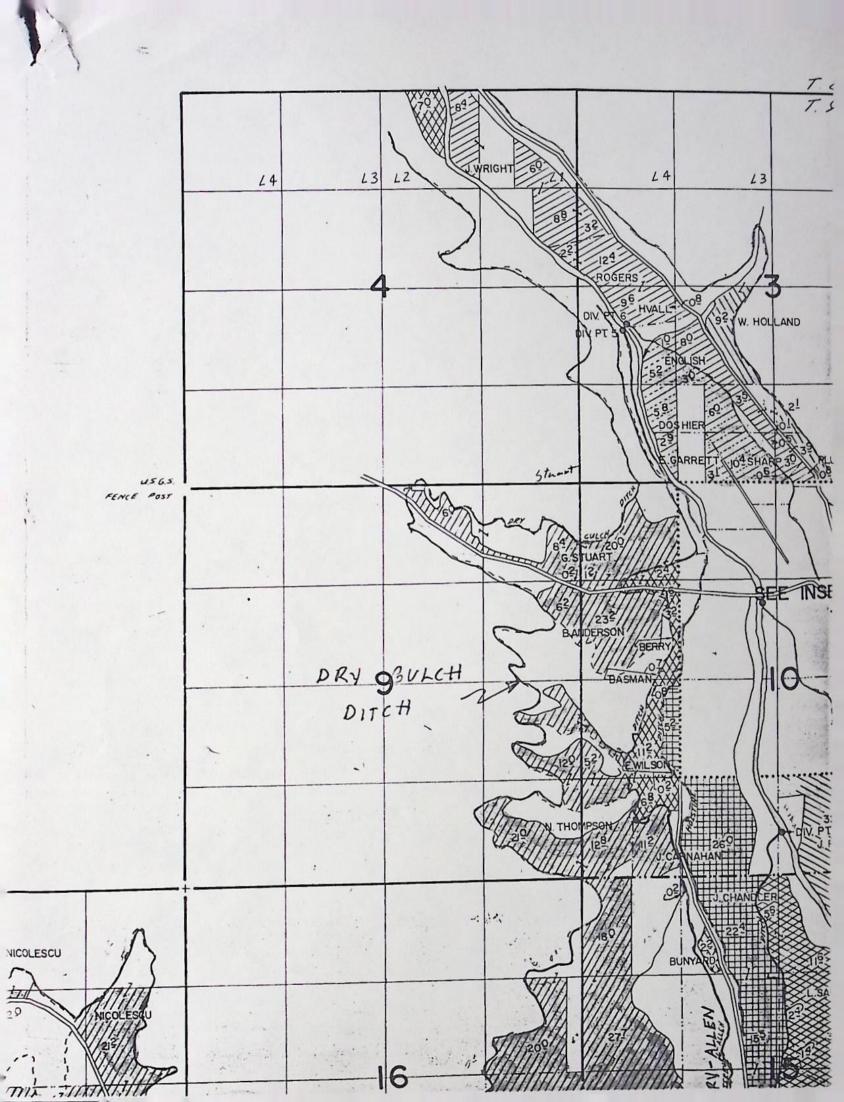
It is FURTHER ORDERED that the certificate recorded at page 4624, Volume 5, State Record of Water Right Certificates, be canceled; and in lieu thereof a new certificate be issued covering the balance of the rights NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director 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 13th day of June, 1980.

JAMES E. SEXSON

Volume 33, page 329





UNIE SO 1950 INSP VEC

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

POU USE Add'1 POD

Tra	nsfer NO.	1453			County BAKER			
01 d	Certificate	NO. 46	24					
1.								
	Address R	T1, B	of 36	Richland,	OR 97870			
2.	Source of Su	ipply Ea	agle Creek		, Trib of			
3.	Useirrigation							
4.	Fifority bate 18-16							
5.	Proposed Poi	nt of Di	version (2	50'N + 2480	RYSE, WM.			
	win S	E/4 SI	U/4. S.	33 T85.	RYSE, WM			
			Waster	bury-Allen	Dital			
6.	Completion D							
	Place of Use:							
	Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made			

NOWN WRIGHT - MR WRIGHT IRRICATES APPROX 20 ACRES IN SELLY

NE'LY SECIO AND SW'LY BW'LY SEC II, T.9S. R. 9SE. BETWEEN

THE TOBIN DITCH AND THE NEWT YOUNG DITCH FROM THE

TOBIN DITCH. THIS IS ALL FLOOD IRRICATED AND IS PASTURE.

APPROX. SS ACRES IS FLOOD IRRIGATED FROM WENT YOUNG

DITCH ABOVE RICHARND-NEWBRIDGE MICHAMY. THIS CAND IS

COCATED IN THE NE'LY NE'LY, SW'LY NE'LY & SE'LY NE'LY, NE'LY SE'LY,

If SE'LY SE'LY SEC 10, & SW'LYNN'LY SEC II, T.9S. R. 9SE, W.M. THIS

CAND INCLUDES HAY, PASTURE, LAWN & GARDEN & ORCHARD.

MR WRIGHT FLOOD IRRICATES 3/4 MILES OF BOTTOM LAND

EAST OF EAGLE CREEK FROM THE NEWT YOUNG DITCH, THIS LAND

IS BOUNDED BY OWNERSHIPS OF ELDON DEAZ DOZOFK ON THE

NORTH AND ANN ROCERS ON THE SOUTH, THIS IS ALL PLANTED

TO ACEACEA.

A 17 ACRES PIECE OF LAND BIRECTLY WEST IS FLOODED

FROM THE WATERBURY DITCH, THIS IS ALL PLANTED TO

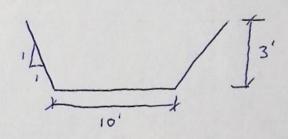
PASTURE,

TIE : 888-TKK-97 & BBB-CKK-IIZ INS PECTION

DIV. PT. WATERBURY-ALLEN DITCH: A'G' HEADGATE REGULATES

FLOW FROM EAGLE CREEK INTO DITCH.

X-SECTION BELOW H.G. 3



NUNE 30, 1880 Vent Church FIELD ENGINEER

885 T-4453

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

	I, John W.	Wright			
			(Name of applicant)		
of	Rt. 1, 1	36x 36		Richland (City)	
		(Mailing address)		(City)	,
State	of Oregon	97870	893-3963 do	hereby make application for ch	anae
	In Point of	(Zip Code)	(Phone number)	or control of the con	unge
		***************************************	ce of use; use heretofore made		
		(in point of diversion, plan	ce of use, use heretorore made	of the water)	
1.	Is the water right	recorded in your nam	e? No, Mrs. T.	A. Cobb V6 P468 (If not, give name)	
2.	Was your water r	ight determined by I	Decree of Court? Yes	If so, give title of proceed	lings
				number of certificate4624	
			n	number of certificate	
3.	Was your water ri	ght acquired by Wat	er Right Permit?	No	mber
of normi		Number of certif	ficato		
or permi	·	Number of certif	ncate		
	of the right questions on	that is directly involve this form.	ved should be conside	the requested change, only that ered in answering the balance of	part f the
4.	The source of war	er is Eagle Cr	eek		
5.	What is the date	of priority of your w	ater right?1896	6	
6.	The authorized poi	nt of diversion is locat	ed .1520 ft. S	and 1090 ft. W from the	NE
corner of	sec 29 b	eing within the SE	4 NE 1/4 of Section	29 Tp. 88 R. 45E W. (No. E. or W.)	7. M.,
in the co	unty of Baker	The nam	e of the ditch used is	Robin (Tobin)	
		NOTE: Answer question if the	application is for change in poli	nt of diversion.	
7.	The proposed point	of diversion is locate	d 1250 ft. N a	and 2480 ft. E from the S	W
corner	of Sec. 33 b			3 Tp. 8S R. 45E W.	М.,
in the c	ounty of Bak	The nar	ne of the ditch to be	used is Waterbury Allen	

Township North or South	Range E. or W. of Willamette Meridian	Section	List 14-14 of Section	Number Acres To Be Irrigat
88	45E	33	SW4 SE4	9.8
		(If more space :	required, attach separate sheet)	
9. Are yo	ou the legal owne	er of the above	described lands? Yes	not owner, explain your interest)
	ir knowledge, has utive years of no		the water right above descr	ibed undergone a period of
11. Are th		ch you propose	to transfer your water right	free of all encumbrances,
4				
12. If not,	give below a de		ting encumbrances:	AMOUNT
12. If not,	The state of the s			AMOUNT
13. The us	nature of encumber	ater is to be app		g, manufacturing, domestic supplies, etc.
13. The us	nature of encumber	ater is to be app	Dlied is(Irrigation, power, minin	g, manufacturing, domestic supplies, etc.
13. The us Locatio	se to which the won of area to be i	ater is to be apprinted at the state of the	plied is	g, manufacturing, domestic supplies, etc.
13. The us Locatio	se to which the won of area to be i	ater is to be apprinted at the state of the	plied is	g, manufacturing, domestic supplies, etc.
13. The us	se to which the won of area to be i	ater is to be apprinted at the state of the	plied is	g, manufacturing, domestic supplies, etc.)

14. Reasons for the proposed changes are		
To Document existing us		
15. Construction work will be completed on o	r before	Completed
16. The water will be completely applied to t	he proposed use on or befor	e
Remarks		
Affadavit will follow to ca	ancell the portion of	the permited water
right on this land. Application	No. 38899, Permit No,	29602, Cert. No. 3800
NOTE: THIS APPLICATION MUST BE ACC BEFORE AND AFTER LOCATIONS USE, AS THE CASE MAY BE.	COMPANIED BY A MAP O	OR MAPS SHOWING THE SION AND/OR PLACE OF
AFFIDAVIT	OF APPLICANT	
I, John W. Wright first duly sworn, depose and say that I have read the right; that I know the contents thereof and that the of my knowledge and belief.	above and foregoing applic	ation for transfer of water
In Witness Whereof, I have hereunto set my ha	and this 12th day of Ma	arch , 1980
	Jelin Ju.	Lught applicant)
Subscribed and sworn to before me this 12th		\
[Notarial Seal]	My commission expires	

1.F T-0982-01

*** OREGON WATER RESOURCES DEPARTMENT ***

RUN ON; 3/20/81 AT; 9:08

WATER RIGHT DATA INPUT FORM ***

WATER RICHT NO. 1 90004453 FERMIT NO. 006468 CERTIF. NO.	NAME: JOHN W, WRIGHT
ORIG. NO.C 000046241 FREE. NO.C 00004624/SUPER. NO.	ADDRESS: RT1, BOX 36 CITY/STATE/ZIF/COUNTY; RICHLAND OR 97870 O
STREAM-ID 09 4060 0140 RIV.MI.	WM. DIST. 08 W.R. TYPESC STATUS V
CONSTR.COMPLT> 06 13 1980 PRICRITY> 12 31 1896 APPLICATION> 24 1980 PERMIT ISSUE> 06 13 1980 CONCUPRENCE> CONSTR.STRT> 06 13 1980 POINT-OF-DIVERSION DATA; TWISP RNGE SECT OTR/QTR STREAM-ID RIV.MI. RATE	YR.LAST USED> LAST TRANS.DATE> EXAM.FEE> CYCLE STATUS> CORRES.INIT> STATUS S OR P ** REMARKS;
PLACE-OF-USE DATA: TWHSP RNGE SECT QTR/QTR CNTY USE " CNSMTV ACRES STATUS S OR OFOS 450E 33 D C 01 1R 104 9.80 V P	**CHANGES POD PART OF C- E-624. **REC-49624.

49624

1

NUTICE OF WATER
RIGHT TRANSFER
APPLICATION NO. 4453
On March 24, 1980, an application was filed in the office of the Water Resources
Director by John W. Wright for approval of a change in point of diversion from Eagle Creek under certain water rights. point of diversion from Eagle Creek under certain water rights.

By Decree of the Circuit Court for Baker County, Oregon, entered March 18, 1918, in the Matter of the Determination of the Relative Rights of the Various Claimants to the Use of the Waters of Powder River and Its Tributaries, a water right was allowed in the name of Mrs. T.A. Cobb for Use of Waters of Eagle Cr for irrigation of, among other lands, a certain 9.8 ac in SW1/4 SE1/4 of Sec 33, TBS, R45E, WM, being tabulated at Volume 6, page 468, with a date of priority of 1896, as evidenced by certificate recorded at page 4624, Volume 5, State Record of Water Right Certificates.

The authorized point of diversion is located 1520 ft S & 1090 ft W from the NE corner of Sec 29, being within the SE1/4 NE1/4 of Sec 29, T8S, R45E, WM (Robin (Tobin) The applicant proposes to change the point of diversion in the second change the point of diversion of the point of diversion change the prior the proposes of the prior th Ditch).

The applicant proposes to change the point of diversion therefrom, without loss of priority, to a point located 1250 tt N & 2480 ft E from the SE corner of Sec 33, being within the SE¼ SW¼ of Sec 33, T8S, R45E, WM (Waterbury-Allen Ditch).

R45E, WM (Waterbury-Allen Ditch).

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Tuesday June 10, 1980 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 Rt 1, Box 36, Richland, OR 97870; 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 10th day of April, 1980.

James E. Sexson Director

0

James E. Sexson Director

Legal No. 104 Publish: April 16, 23, & 30, 1980

AFFIDAVIT OF PUBLICATION

	Baker, Oregon,	April 30	, 19_80_
STATE OF OREGON, County of Baker	ss.		
1,	Tricia Bevers	, bein	g first duly sworn,
depose and say that I am th	Principal Clerk	of the Bake	r Democrat-Herald
which is a Daily (except Sur			
county and state; that such			
and of at least 173/4 inches			
interruptedly published once ceeding the first publication	each week for at least	twelve consecutive months	immediately pre-
Water Right Transi	er , and has m	ore than 200 bona fide	subscribers within
said county; that the			
of which the one hereto atto			
regular and entire Issue of so			
for			
being published			
16th day of Apr			
23rd day of Apr			
April 16, 1980-	mrs 1 23, 1980-199	11L_0Ug1310U	
A manufacture of the second	Dia	ia Berens	2
S. Carrier			
	Subscribed and su	vorn to before me this	30+h
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PISIVED	day of	April -	, 19 60
9 105 1992	1/he	1 lew +	119
RESOURA	/		
RESOURCES DEPT	My commission e	xpires Sentember 8	, 1982



STATE OF OREGON

INTEROFFICE MEMO

TO:	TRANSFERS, WATER RIGHTS DIVISION DATE:	April	
FROM:	** Y. KENT SEARCES		RECEIVED
SUBJE	IN THE NAME OF	V	APR 3 1980 ATER RESOURCES DEPT. SALEM, OREGON
	In my opinion the proposed change in foll FROM TO	an exist	ting water right.
	Headgate notices HAVE MAVE NOT been issued for diverserves this right.	ersion fro	om the sources which
	If for change in point of diversion, is there any interbetween the authorized and the proposed points of diversion.	ervening persion? _	ooint of diversion (yes or no)
	In my opinion, the order approving the subject transfer the following in regard to the appropriator installing in the diversion works:	g suitable	e measuring devices
	(1) PRIOR to the diverting of water at the new (2) When in the judgment of the watermaster it		
	* The approval of this transfer application would resurights because	ult in in	jury to other water

** Watermaster's signature or initials

RESEIVED 111112 - 1200 WATER RESOURCES DEPT SALEM, OREGON

EAGLE VALLEY TRANS. GROUPING

MOONY TO NEWT YOUNG	DENSLEY TO LITTLE EAGLE 85.00	
TOHN RANDALL WILLIAMS BROS. DAN L. FORSEA & SONS, INC.	DAN L. FORSEN & SONS, INC. 744	54
DAN L. POZSEA & SONS, INC.	DEUSLEY TO KAY YOUNG	-
KAY YOUNG TO NEWT YOUNG SEORGE HOLCOMB THELLY DALE ELUS DAN L FORSEA & SONS, INC. #3	DEUSLEY TO KAY YOUNG 47.50 EAC DAN L. FORSEA & SOUS, INC. TIASS G. ODVERNAND	is .
	CHECKS ENCLOSED :	*****
NEWT YOURS TO KAY YOUNG	DAN L. FORSEA & SONE NINE. 231.	25
NEWT YOUNG TO KAY YOUNG 35.00 EACH TOAN RANDAU T-4444 HOLOOMB ESTATE LAWRENCE IMMOS	JOHN RANDALL 98.	
LAWRENCE IMMOS	DAKE EUS 35.0	تحد
	CHESTER RANDALL 35.	00
MOODY TO KAY YOUNG	L. IMMOOS 35.0	00
MOODY TO KAY YOUNG. 35.00 EACH DAN L. FORSEA SONS, DNC. THUM CHESTER RANDALL JOHN RANDALL	D. Huau 35-0	201
TOUN RANDALL 48	GEORGE HOLCOMB 35.0	00
	WILLIAMS BROS. 28.2	75
Nous Yours TO TORIN	HOLCOME ESTATE 35-0	2
NEWT YOUNG TO TOBIN 47.50 EACH CARL CARNAGEY THUSO GILL WRIGHT	6. OPPERMAN 47.5	0 -
GILL WRIGHT	GILL WRIGHT 76-2	
TARIN TO NEWT YOUNG	CARL CARNAGEY 47-3	
TOBIN TO NEWT YOUNG	200.0	
D. HUALL PAID P-6 HAS 1101	ELION DEARBORF 35.0	00
NEWT YOUNG TO WATERBURY ALLEN 85.00 TOAN WRIGHT TIAASO	TOBIN TO WHITEBURY ALLEN TOHN W. LUKICHT 85-00 T-4450	j

CH pulled Cut Name Lawrence Immoos 4602 John W. Wright 4624 X 4680 20 X 4686 Gill Wright X 4676 X Carnagey 4761 Williams Bros 4765 X X 4660 4706 4639 Said Oppeimon 4639 Jan L. Forse 7 4748 X ohn Randall 4728. David Hvall X 44244 Dale Ellis X 4669 George Holcomb 4660 Jan L. Forsta 4744 USMB 4706 V hester Randall 4706)an L. Forsed John Randall 4697 4639 Jan L. Forsed 9916 ohn W. Heston X . W. Heston 4457

Name and Postoffer Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Becond	Number	Uee	Name of Ditch	Stream	Description of Land or Place of Use
Brown, Samuel Richland, Oregon.	1891 1881		8 22	Irrigation	Waterbury Nash	Eagle Creek	8 acres in NELNW.
IN BANK				·	*		Section 22 T 9 S. R. 45 E. W. M.
Campbell, J. W. Richland, Oregon.	1872 T-4404 A	OP 7º 5	8 NE	Irrigation	Simonis & Gover	Eagle & Little Eagle	12.14 acres in NWANE. 14.39 acres in SEANE. 1.23 acres in NE SE
Bolis	1900		29.3	Irrigation	Howell	Creek Eagle Creek	11.04 acres in NW4SH4
1 () () () () () () () () () (1905		2	Irrigation	Waterbury	Eagle	.5. acres in SWANEL Section 22 T 9 S. R. 45 E. W. K.
Carnahan, J. W.	1877		65	Irrigation	Newt	Eagle	10 acres in SWASWA
New Bridge, Cregon. Colored (Finding #30)	8	Partial	Chain Sp. Or.	ot. of div. Vol. 3, p. 355	Young	Creek	© 25 acres in NH SW 10 acres in NW SW 20 acres in SH SW 20 acres in SH SW 20 Section 11
4616							T 9 S. R. 45 E. W. M.
Carter, B. P. Richland, Oregon.	1878		0.4	Irrigation	Young	Eagle Creek	Lots 10 and 11, Block A, Ushers West Addition to Richland, Oregon.
Richland, or	1878		0.4	Irrigation	Kay Young	Fagle Creek	Lots 6 and 7,Block 3, Richland, Oregon.
Chandler, Eugene Richland, Oregon.	1878		25	Irrigation	Kay Young	Eagle Creek	22 acres in SR SW4 3 acres in SW2SW4 Section 14
(Finding #30)	3853			tratamie.		374	7 9 S. R. 45 E. W. H.
Chandler, Ianthis Richland, Oregon.	1884		54.5	Irrigation	Holstine Young	Eagle Creek	l acre in NW NE 28 acres in NE NW 2
(Finding #30) (1.1-4393 A POD (1)	1879 1899		16 49	emperion.	Nash	10	15.5 acres in SE NW2 (1) 25 acres in NW NE2 40 acres in NW SE2 Section 15 T 9 S. R. 45 E. W. K.
Chandler, Mrs. Maggie Richland, Oregon.	B. 1878		.4	Irrigation	Kay Young	Eagle Creck	Lots 1 and 2, Ushers Addition to Richland, Oregon.
1621 Bakeilo	1878		0.2	Irrigetion	Kay	Eagle	Lot No. 1, Ushers South
Chandler, W. W. Richland, Oregon.	1878		0.2	11118011011	Young	Creek	Addition Richland, Oregon.
Chapman, John Richland, Oregon. (Finding #30)	1886		20	Irrigation	Kay Young	Eagle Creek	20 acres in NE-NE- Section 26 T 9 S. R. 45 E. W. M.
Clark, David Richland,	1888		40	Irrigation	Newt Young	Eagle Creek	40 acres in NE 1V4 Section 25 T 9 S. R. 45 E. W. M.
Cobb, Mrs. T. A. New Bridge,	1896		. 17	Irrigation	Robin	Eagle Creek	17 acres in SWASBA Section 25, T 8 S. R. 45 E. W. M.
(1) T-4953 A P	00 9.8	re		tiruties		349*14 11498	A CONTRACTOR OF THE CONTRACTOR
							2.30 5.80a
,				POWDER (EAGLE	RIVER -15	-	
			357 20			/	
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