

Name Dan L. Forsea + Son, Inc

4455

## DESCRIPTION OF WATER RIGHT

By \_\_\_\_\_

Address \_\_\_\_\_

Richland, OR 97870Change in PODDate filed March 24, 1980Date of hearing June 10, 1980Place of hearing Baker,✓ Date of order 6-13-80 Vol. 33, page 332Date for application of water Complete

Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Certificate issued SEP 4 1980 Vol. 43, page 49432APR 25 1985Vol. 4852954  
52955 ✓Name of stream Eagle CreekTrib. of \_\_\_\_\_ County of BakerUse irrigation + stockQuantity of water \_\_\_\_\_ No. of acres 73Name of ditch Densley to Kay YoungDate of priority 1885In name of W. J. DensleyPowder River Adjudication, Vol. 6, page 470, 470 <sup>SRB</sup>App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 4639

Certificate cancelled \_\_\_\_\_

Notation made on record by \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt No.
<u>3-24-80</u>	<u>47.50</u> <u>47.50</u>	<u>16791</u> <u>16799 from T-4456</u>
TOTAL . . .		
	Cert. Fee	

Democrat Herald R40. w pd 5/12/80 ck #4185

## FEES REFUNDED

Date	Amount	Check No.
<u>5/12/80</u>	<u>10.00</u> <u>10.00</u>	<u>4186</u> <u>4187</u>

Ex 20 -  
POD 15 -  
PON 40 -  
375 -Refund 910.00 each to

## REMARKS

RR in T-4405

W.R.I.S.	
Assembled <u>2-17-85</u> by <u>SRB</u>	
Entered _____ by _____	
Verified _____ by _____	

TO BE ENTERED WHERE CHECKED

## INDEX CARDS:

	Entered	Checked
✓ Name	<u>SRB</u>	<u>Forsea</u>
✓ Stream	<u>SRB</u>	<u>Opperman</u>
✓ Pt. of Div.	<u>Lij</u>	
✓ Calendar	<u>Lij</u>	
✓ Twp. & Rge.	<u>SRB</u>	
✓ Decree-vault	<u>SRB</u>	
✓ Decree-safe	<u>SRB</u>	
✓ Cert. of W/R	<u>SRB</u>	
Per. Folder		
Chainindex		
Cross Ref.		
✓ Power Claim	<u>Lij</u>	
Abstracts		

Forsea  
Opperman  
Densley  
Gary Opperman

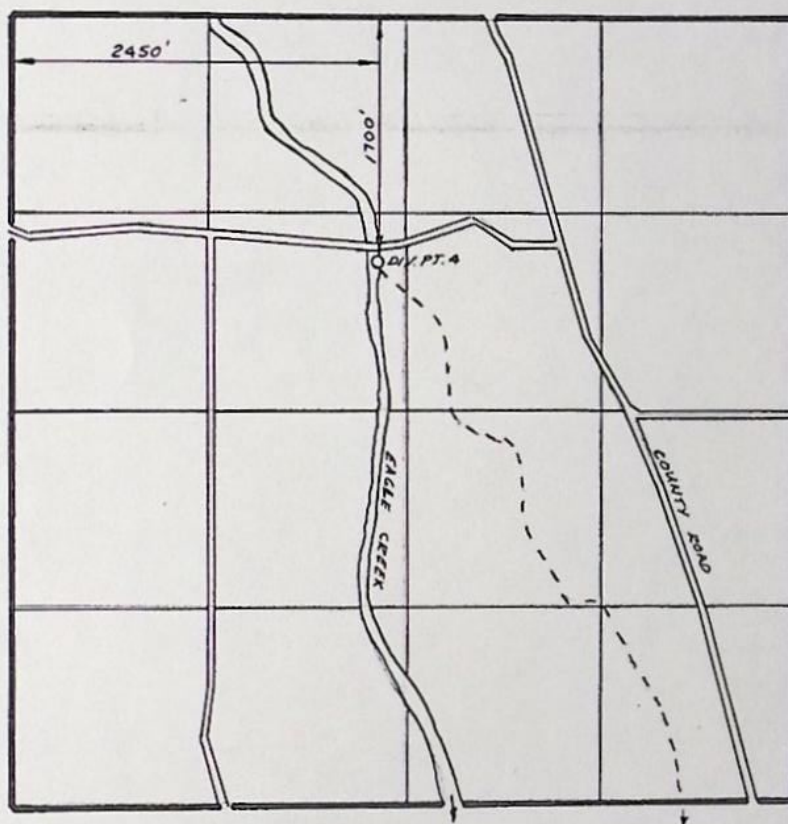


T-4455

To:

T 9S R 45E W.M.  
SECTION 10

RECEIVED  
MAR 21 1980  
WATER RESOURCES DEPT  
SALEM, OREGON



KAY YOUNG DITCH

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BAKER COUNTY

IN THE MATTER OF THE APPLICATION )  
OF DAN L. FORSEA & SONS, INC., )  
AND GARRY OPPERMAN FOR APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER )  
-----

ORDER APPROVING  
TRANSFER NO. 4455

On March 24, 1980, an application was filed in the office of the Water Resources Director by Dan L. Forsea and Sons, Inc., and Garry Opperman 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 W. J. Densley for use of waters of Eagle Creek for irrigation of, among other lands, a certain 7.2 acres in NE 1/4 NE 1/4 (Forsea) and 3.5 acres in NE 1/4 NE 1/4 (Opperman), Section 22, Township 9 South, Range 45 East, W.M., being tabulated at Volume 6, page 470, with a date of priority of 1885, as evidenced by certificate recorded at page 4639, Volume 5, State Record of Water Right Certificates.

The authorized point of diversion is located 1390 feet North and 750 feet West from the Southeast Corner of Section 15, being within the NE 1/4 SE 1/4 of Section 15, Township 9 South, Range 45 East, W.M. (Densley Ditch).

The applicants propose to change the point of diversion therefrom, without loss of priority, to a point located 1700 feet South and 2450 feet East from the Northwest Corner of Section 10, being within the SE 1/4 NW 1/4 of Section 10, Township 9 South, Range 45 East, W.M. (Kay Young 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;

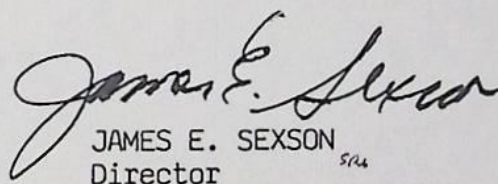
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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

The order of the Water Resources Director entered June 11, 1980, approving transfer application No. 4405, provided for cancellation of the certificate of water right recorded at page 4639, Volume 5, State Record of Water Right Certificates, and issuance of a new certificate covering the balance of the right NOT involved in the transfer proceedings.

It is FURTHER ORDERED that 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 and other orders allowing changes in points of diversion, confirming certificates of water right shall be issued to the applicants herein.

Dated at Salem, Oregon this 13th day of June, 1980.

  
JAMES E. SEXSON  
Director



T-4456

RECEIVED  
MAR 2 11 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

20  
27.50

# Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Garry Opperman  
(Name of applicant)  
of 50710 SE Hwy 26, Sandy  
(Mailing address) (City)  
State of Oregon, 97055, 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. W.J. Densley V6, P 470  
(If not, give name)
2. Was your water right determined by Decree of Court? yes If so, give title of proceedings  
(Yes or No) Powder River Decree number of certificate 4639
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 Eagle Creek
5. What is the date of priority of your water right? 1885
6. The authorized point of diversion is located 1390 ft. N. and 750 ft. W from the SE  
(N. or S.) (E. or W.)  
corner of Sec. 15 being within the NE 1/4 SE 1/4 of Section 15 Tp. 9S R. 45S W. M.,  
(No. N. or S.) (No. E. or W.)  
in the county of Baker The name of the ditch used is Densley

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

7. The proposed point of diversion is located 1700 ft. S and 2450 ft. E from the NW  
(N. or S.) (E. or W.)  
corner of Sec 10 being within the SE 1/4 NW 1/4 of Section 10 Tp. 9S R. 45E W. M.,  
(No. N. or S.) (No. E. or W.)  
in the county of Baker The name of the ditch to be used is Kay Young



8. The use to which the water is applied is Irrigation and Stock  
(Irrigation, Mining, Power, Manufacturing, etc.)

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

[illegible]

(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.? .....  
(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:

[illegible]

(If more space required, attach separate sheet)



14. Reasons for the proposed changes are .....

To document the existing use.

15. Construction work will be completed on or before ..... Completed

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

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, Gary Opperman, 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 19 day of February, 1980.

Gary B. Opperman  
(Name of applicant)

Subscribed and sworn to before me this 19th day of February, 1980.



Maxine A. Honan  
NOTARY PUBLIC FOR OREGON

My commission expires July 5, 1980



T-4455

RECEIVED  
MAY 2 - 1980  
WATER RESOURCES DEPT  
SALE OF OREGON

20  
27.50

# Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, ~~Forsea Brothers~~ Dan L. Forsea and Sons, Inc.  
(Name of applicant)  
of \_\_\_\_\_, Richland \_\_\_\_\_,  
(Mailing address) (City)  
State of Oregon 97870, \_\_\_\_\_, 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. W. J. Densley ✓ 6,870  
(If not, give name)

2. Was your water right determined by Decree of Court? Yes If so, give title of proceedings  
(Yes or No)  
Powder River Decree number of certificate 4639

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 Eagle Creek

5. What is the date of priority of your water right? 1885

6. The authorized point of diversion is located 1390 ft. N. and 750 ft. W. from the SE corner of Sec 15 being within the NE 1/4 SE 1/4 of Section 15 Tp. 9S R. 45E W. M.,  
(N. or S.) (E. or W.)  
(No. N. or S.) (No. E. or W.)  
in the county of Baker The name of the ditch used is Densley

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

7. The proposed point of diversion is located 1700 ft. S. and 2450 ft. E. from the NW corner of SEC 10 being within the SE 1/4 NW 1/4 of Section 10 Tp. 9S R. 45E W. M.,  
(N. or S.) (E. or W.)  
(No. N. or S.) (No. E. or W.)  
in the county of Baker The name of the ditch to be used is Kay Young



7  
8. The use to which the water is applied is Irrigation and 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	45E	22	NE $\frac{1}{4}$ NE $\frac{1}{4}$	<del>10.7</del> 7.2

(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.?

(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 .....

To Document existing use

15. Construction work will be completed on or before COMPLETED

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

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, WALTER J. FORSEA, 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 13th day of Feb, 19 80

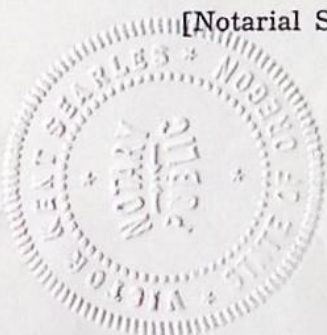
Walter J. Forsea Pres  
(Name of applicant)

Subscribed and sworn to before me this 13th day of Feb, 19 80

Edward Ray Seabury  
NOTARY PUBLIC FOR OREGON

[Notarial Seal]

My commission expires 2/26/83





: POD  
POU  
USE  
Add '1 POD

County      BAKER

1. Name Dan L. Forsea & Son, Inc.  
Address \_\_\_\_\_ Richland, OR 97870

5. Proposed Point of Diversion 1700'S + 2450' E from NW Cor, S 10,  
w/in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec 10, T9S, R45E, Wm  
Kang Young Ditch

7. Place of Use:

[illegible]



FORSEA BROS., INC. - WALT & BOB FORSEA FLOOD IRRIGATE ONE MILE OF BOTTOMLAND LAYING EAST OF EAGLE CREEK AND WEST OF THE RICHLAND-NEWBRIDGE HIGHWAY WITHIN THE SOUTH  $\frac{1}{2}$  SECTIONS 14 & 15 AND N  $\frac{1}{2}$  SECTIONS 22 & 23, T. 9S. R. 45E. W.M. THE LAND IS IRRIGATED FROM THE KAY YOUNG DITCH WITH THE EXCEPTION OF A SMALL PIECE OF LAND IN THE NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  SEC 14 ABOVE THE KAY YOUNG DITCH AND IRRIGATED FROM THE MOODY DITCH.

THE FORSEA'S ALSO OWN LAND WEST OF EAGLE CREEK WITHIN THE NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  & SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  SEC 15, T. 9S. R. 45E. W.M. THE LAND IS IRRIGATED WITH WASTEWATER EMANATING FROM THE NASH DITCH. NO DIRECT DIVERSION FROM THE NASH DITCH IS EMPLOYED TO FLOOD THIS LAND.

THE FORSEA'S IRRIGATE THE NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  & SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  SEC 22 WEST OF EAGLE CREEK FROM THE ~~#~~ LITTLE EAGLE DITCH. THIS LAND IS ALL PASTURED. MANY TREES IN NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  WERE STANDING WITH UNDERBRUSH CLEARED AND AREAS BETWEEN TREES PASTURED.



EAST OF THE RICHLAND - NEWBRIDGE HIGHWAY AND WEST OF THE DRAINAGE DITCH SHOWN ON PHOTO THE FORSEAS IRRIGATE APPROX 120 ACRES IN NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> & SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> SEC 14 AND NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> & SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> SEC 23, T.9S. R. 95E. WM. ALL THIS LAND IS FLOODED FROM THE KAY YOUNG DITCH

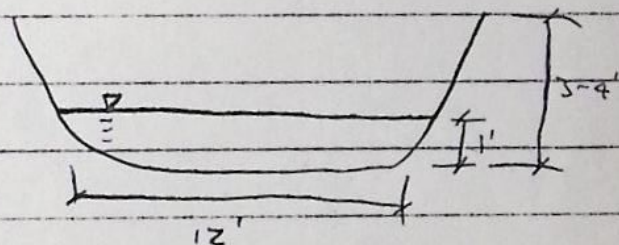
SIXTY ACRES EAST OF THE DRAINAGE DITCH WITHIN THE SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> AND SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> SEC 14, T.9S. R. 95E ARE FLOODED FROM THE NEWT YOUNG DITCH.

CROPS: MAY PASTURE LAWN & GARDEN

TIE: BBB. 9N-70 INSPECTION

DIV. PT. KAY YOUNG DITCH - A 4' HIGH GOG DAM ACROSS ENTIRE WIDTH OF EAGLE CREEK CONTROLS CREEK HYDRAULIC GRADE LINE. TWO 4' HEADGATES REGULATE FLOW INTO DITCH

X - SECTION BELOW HEADGATE:



AVERAGE VELOCITY = 2 FPS

JUNE 30 1980

Wm. L. Church

FIELD ENGINEER



## EAGLE CREEK

T-0982-01

 \*\*\* 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. 5000044551 PERMIT NO. 006470 CERTIF. NO.  
 ORIG. NO. C000046391 FRI. NO. C000046391 SUPER. NO.

NAME: FORSHEA &amp; OPPERMAN

ADDRESS: \*\*\*

CITY/STATE/ZIP/COUNTY: RICHLAND, OR 97870

01

STREAM-ID 09 4060 0140

RIV. MI.

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

CANCEL YEAR---&gt;

CONSTR. COMPLT--&gt; 06 13 1980

YR. LAST USED-----&gt;

NEXT ACTION DUE--&gt;

PRIORITY-----&gt; 12 31 1885

PUT TO USE-----&gt; 06 13 1980

LAST TRANS. DATE--&gt;

LAST TRANS. TYPE--&gt;

APPLICATION-----&gt; 03 24 1980

SURVEYED-----&gt;

EXAM. FEE-----&gt;

20.00

RECORDING FEE-----&gt;

15.00

PERMIT ISSUE--&gt; 06 13 1980

CONCURRENCE-----&gt;

CYCLE STATUS-----&gt;

REPORTED FLAG-----&gt;

CONSTR. STRT.--&gt; 06 13 1980

CERTIFIED-----&gt;

CORRES. INIT.-----&gt;

CORRES. DATE-----&gt;

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

RIV. MI.

RATE

STATUS S OR P

 \*\* REMARKS: - - - - -  
 \*\* DATED-->

0905 450E 10 B D 09 4060 0140

0268

V

P

 \*\* POD: KAY YOUNG DITCH, 1700'S &  
 \*\* 2450'E FM NW COR S 10. CHANGES  
 \*\* POD PART OF C-4639. RR C-49432

PLACE-OF-USE DATA:

TWP/SP RNGE SECT QTR/QTR CNTY USE % CHSMTV ACRES

STATUS S OR P

0905 450E 22 A A 01 1R 100 10.70

V

P

49432

V.D.I.S.

2-14-85: SRA

E: \_\_\_\_\_

V.D.I.S. \_\_\_\_\_



**NOTICE OF WATER  
RIGHT TRANSFER  
APPLICATION NO. 4455**

On March 24, 1980, an application was filed in the office of the Water Resources Director by Dan L. Forsea & Sons, Inc., & Garry Opperman for approval of a change in 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 W.J. Densley for use of waters of Eagle Cr for irrigation of, among other lands, a certain 7.2 ac in NE 1/4 NE 1/4 (Forsea) & 3.5 ac in NE 1/4 NE 1/4 (Opperman), Sec 22, T9S, R45E, WM being tabulated at Volume 6, page 470, with a date of priority of 1885, as evidenced by certificate recorded at page 4639, Volume 5, State Record of Water Right Certificates.

The authorized point of diversion is located 1390 ft N & 750 ft W from the SE corner of Sec 15, being within the NE 1/4 SE 1/4 of Sec 15, T9S, R45E, WM (Densley Ditch).

The applicants propose to change the point of diversion therefrom, without loss of priority, to a point located 1700 ft S & 2450 ft E from the NW corner of Sec 10, being within the SE 1/4 NW 1/4 of Sec 10, T9S, R45E, WM (Kay Young 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 objections to the proposed change must be prepared in writing; one copy to be served on Dan L. Forsea & Sons, Inc at Richland, OR 97870, & on Garry Opperman at 50710 SE Hwy 26, Sandy, OR 97055; 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

**AFFIDAVIT OF PUBLICATION**

Baker, Oregon, April 30, 1980

STATE OF OREGON,  
County of Baker

ss.

I, Tricia Bevers, 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 #106 Water Right Transfer, 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 16th day of April, 19, 80, and ending with the issue dated the 30th day of April, 19, 80, and that the dates of publication were April 16, 1980-April 23, 1980-April 30, 1980

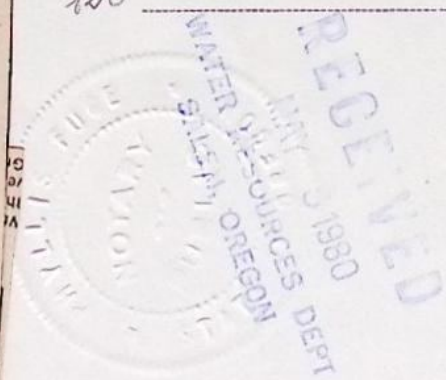
OK  
SPB

Tricia Bevers

Subscribed and sworn to before me this 30th day of April, 1980

Sheila Luge  
Notary Public for Oregon.

My commission expires September 8, 1982







## STATE OF OREGON

## INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: APRIL 1, 1980FROM: \*\* V. KENT SEARLESSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4455

IN THE NAME OF \_\_\_\_\_

**RECEIVED**

APR 3 1980

WATER RESOURCES DEPT.  
SALEM, OREGON

In my opinion the proposed change in P.O.D. FROM DENSLEY DITCH TO KAY YOUNG DITCH  
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:

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

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

\*\*

V. K. S.  
Watermaster's signature or initials



RECEIVED

MARCH 1950

WATER RESOURCES DEPT  
SALEM, OREGON

# EAGLE VALLEY TRANS. GROUPING

MOODY TO NEWT YOUNG

28.75 EACH

GILL WRIGHT

T-4437

JOHN RANDALL

WILLIAMS BROS.

DAN L. FORSEA & SONS, INC.

DEUSLEY TO LITTLE EAGLE

85.00

DAN L. FORSEA & SONS, INC. T-4454

KAY YOUNG TO NEWT YOUNG

35.00 EACH

GEORGE HOLCOMB

DALE ELLIS

DAN L. FORSEA & SONS, INC.

T-4444

DEUSLEY TO KAY YOUNG

47.50 EACH

DAN L. FORSEA & SONS, INC. T-4455

G. OPPERMAN

T-4456

NEWT YOUNG TO KAY YOUNG

35.00 EACH

JOHN RANDALL

HOLCOMB ESTATE

LAWRENCE INMOOS

T-4444

## CHECKS ENCLOSED :

DAN L. FORSEA & SONS, INC. 231.25

JOHN RANDALL 98.75

DALE ELLIS 35.00

CHESTER RANDALL 35.00

L. INMOOS 35.00

D. HUALL 35.00

GEORGE HOLCOMB 35.00

WILLIAMS BROS. 28.75

HOLCOMB ESTATE 35.00

G. OPPERMAN 47.50

GILL WRIGHT 76.25

CARL CARNAGEY 47.50

JOHN WRIGHT 205.00

ELDON DEARDORFF 35.00

MOODY TO KAY YOUNG

35.00 EACH

DAN L. FORSEA & SONS, INC.

CHESTER RANDALL

JOHN RANDALL

T-4447

NEWT YOUNG TO TOBIN

47.50 EACH

CARL CARNAGEY

GILL WRIGHT

T-4450

TOBIN TO NEWT YOUNG

35.00 EACH

JOHN WRIGHT

ELDON DEARDORFF

D. HUALL

P-6

HAS NOT  
PAID YET

NEWT YOUNG TO WATERBURY ALLEN

85.00

JOHN WRIGHT

T-4452

TOBIN TO WATERBURY ALLEN

85.00

JOHN W. WRIGHT

T-4453



Name	C#	Cont filled	Cont copied
Lawrence Immoos	4602	/	x
John W. Wright	4624	/	x
	4680	/	x
	4686	/	x
Gill Wright	4676	/	x
Carnagey	4761	/	x
Williams Bros	4765	/	x
	4697	/	x
	4660	/	x
	4706	/	x
Gary Oppelman	4639	/	x
Dan L. Forsee	4639	/	x
John Randall	4748	/	x
David Hvall	4728	/	x
Dale Ellis	44244	/	x
George Holcomb	4669	/	x
Dan L. Forsee	4660	/	x
USNB	4744	/	x
Hester Randall	4706	/	x
Dan L. Forsee	4706	/	x
John Randall	4697	/	x
Dan L. Forsee	4639	/	x
John W. Heaton	4416	/	x
J. W. Heaton	4457	/	x



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
16 Davis, G. A. New Bridge, Oregon. (Finding #30)	1902 1885		6 8	Irrigation	Tobin Newt Young	Eagle Creek	14 acres in SW <sup>1</sup> SW <sup>1</sup> Section 3 T 9 S. R. 45 E. W. M.
37 Davis, J. A. New Bridge, Oregon. (Finding #30)	1884		18	Irrigation	Holstine	Eagle Creek	18 acres in NE <sup>1</sup> SW <sup>1</sup> Section 10 T 9 S. R. 45 E. W. M.
58 Decker, O. W. Richland, Oregon. <i>Baker Co.</i>	1881 1901		30 10.5	Irrigation	Newt Young	Eagle Creek	.5 acres in NE <sup>1</sup> SW <sup>1</sup> 10 acres in SW <sup>1</sup> SW <sup>1</sup> 30 acres in SE <sup>1</sup> SW <sup>1</sup> Section 13 T 9 S. R. 45 E. W. M.
469 Densley, W. J. and Densley, Margaret L. Richland, Oregon. <i>Baker Co.</i>	1885		22	Irrigation	Densley	Eagle Creek	2 acres in SE <sup>1</sup> SE <sup>1</sup> Section 15 5 acres in SW <sup>1</sup> SW <sup>1</sup> Section 14 (+) (1) 15 acres in NE <sup>1</sup> NE <sup>1</sup> Section 22
* Pt. of div. changed for 36 ac. - 5 p. Or. Vol. 6 p. 61	1877 1878		40 40		Moody Kay Young		40 acres in NE <sup>1</sup> NW <sup>1</sup> 40 acres in NW <sup>1</sup> NE <sup>1</sup> Section 23
(1) T-4405 A P00 0.5 ac (2) T-4454 A P02 4.3 ac (3) T-4455 A P02 7.2 ac (4) T-4455 A P02 7.5 ac	1879		10		Gover		(1) 10 acres in SE <sup>1</sup> NE <sup>1</sup> Section 22 T 9 S. R. 45 E. W. M.
464 Derrick, H. A. (estate of) Richland, Oregon. <i>Baker Co.</i>	1878		.4	Irrigation	Kay Young	Eagle Creek	Lots 1 and 12, Block 4, Town of Richland, Oregon.
4641 Derrick, H. C. Richland, Oregon. <i>Baker Co.</i>	1872		10	Irrigation	Simonis & Gover	Little Eagle Creek and Eagle	5.4 acres in SE <sup>1</sup> NE <sup>1</sup> 4.6 acres in NE <sup>1</sup> SE <sup>1</sup> Section 22 T 9 S. R. 45 E. W. M.
4642 Dry Gulch Ditch Co. Richland, Oregon. (Finding #30 and 101) <i>Baker Co.</i>	1894		572.52	Irrigation	Dry Gulch Ditch Company	Little Eagle Creek	7 acres in NW <sup>1</sup> NW <sup>1</sup> 2 acres in NW <sup>1</sup> SW <sup>1</sup> Section 10 24 acres in NW <sup>1</sup> SW <sup>1</sup> 24 acres in SW <sup>1</sup> SW <sup>1</sup> Section 15 20 acres in SE <sup>1</sup> NE <sup>1</sup> 25 acres in NE <sup>1</sup> SE <sup>1</sup> 20 acres in SE <sup>1</sup> SE <sup>1</sup> 6 acres in SW <sup>1</sup> SE <sup>1</sup> Section 16 4.5 acres in SW <sup>1</sup> NE <sup>1</sup> 16.5 acres in SE <sup>1</sup> NE <sup>1</sup> 25.52 acres in NW <sup>1</sup> SE <sup>1</sup> 30 acres in SW <sup>1</sup> NW <sup>1</sup> 10 acres in NW <sup>1</sup> NW <sup>1</sup> 21 acres in SW <sup>1</sup> SW <sup>1</sup> 15 acres in SE <sup>1</sup> SW <sup>1</sup> 24 acres in SE <sup>1</sup> SE <sup>1</sup> Section 17 12 acres in NW <sup>1</sup> NE <sup>1</sup> 2 acres in SW <sup>1</sup> NE <sup>1</sup> 5 acres in SE <sup>1</sup> NE <sup>1</sup> 3 acres in NW <sup>1</sup> NW <sup>1</sup> 7 acres in SW <sup>1</sup> NW <sup>1</sup> 11 acres in NE <sup>1</sup> SE <sup>1</sup> 25 acres in SE <sup>1</sup> SE <sup>1</sup> Section 18 5 acres in NW <sup>1</sup> NE <sup>1</sup> 10 acres in SW <sup>1</sup> NE <sup>1</sup>
				POWDER RIVER -160- (EAGLE CREEK)			

sec. T.P. 1 Range 9  
 May 31, 1920  
 Recorded ... Vol. 13, p. 52  
 Decree ... May 31, 1924  
 Recorded ... Vol. 7, p. 437  
 Decree ... Mar. 31, 1913  
 Recorded ... Vol. 7, p. 437