

Name Bob Williams, Jr.

4406

By _____

Address 3950 Broadway
Baker, OR 97814

DESCRIPTION OF WATER RIGHT

Change in POD

Date filed Feb 25, 1980

Date of hearing May 22, 1980

Place of hearing Baker

Date of order 5-22-80 Vol. 33, page 241

Date for application of water Complete

Proof mailed _____

Proof received _____

Certificate issued OCT 28 1980 Vol. 43, page 49632

APR 25 1985
APR 25 1985

48
48

49633
52929
52930

Name of stream Eagle Creek

Trib. of _____ County of Baker

Use irrigation + stock

Quantity of water _____ No. of acres 19

Name of ditch Hokline to Waterbury-Allen

Date of priority 1884 1888

In name of George W. Coble

Powder River Adjudication, Vol. 6, page 468 ⁵¹²⁶ 485 ⁵¹²⁶

App. No. _____ Per. No. _____ Cert. No. 4627

Certificate cancelled 4748

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>2-25-80</u>	<u>47.50</u>	<u>16211</u>
<u>3-28-80</u>	<u>47.50</u>	<u>from 16212, T-4407</u>
TOTAL . . .		
	Cert. Fee	

Democrat Herald Bldg. 50 pld 5/12/80 ch #4200

FEES REFUNDED

Date	Amount	Check No.
<u>5/12/80</u>	<u>7.50</u>	<u>4301</u>
	<u>7.50</u>	<u>4302</u>

Ex 20
POD 15
PON 45
80.00
Refund 97.50 to Williams
7.50 to Anderson

REMARKS

W.R.I.S.

Assembled 2-8-85 by SRA

Entered _____ by _____

Verified _____ by _____

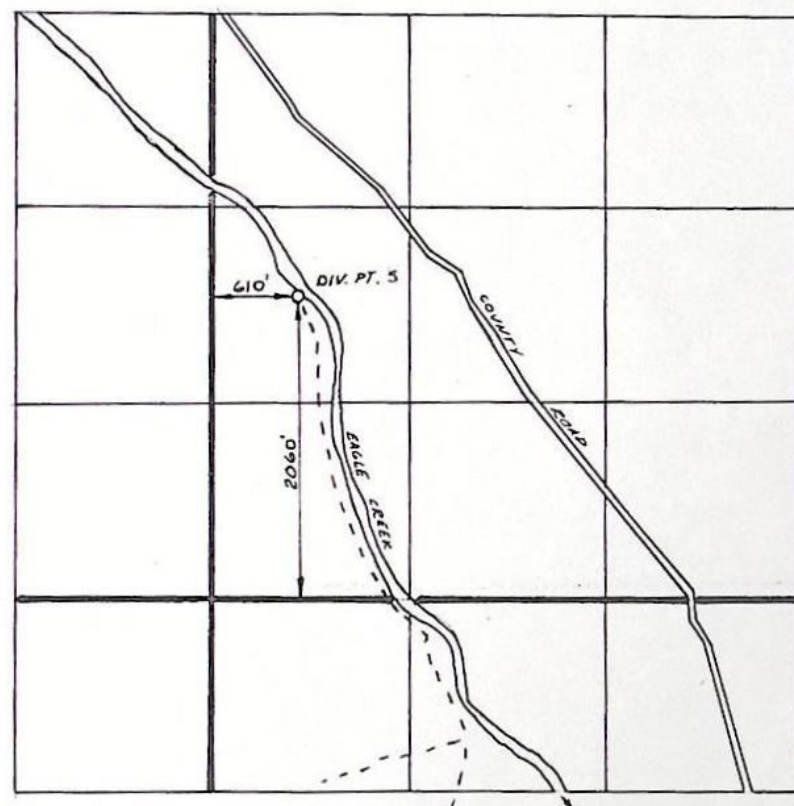
INDEX CARDS:	Entered	Checked
☒ Name	<u>SRA</u>	_____
☒ Stream	<u>SRA</u>	_____
☒ Pt. of Div.	<u>dcj</u>	_____
☒ Calendar	<u>dcj</u>	_____
CHECKED TO RECO.		
☒ Twp. & Rge.	<u>SRA</u>	_____
☒ Decree-vault	<u>SRA</u>	_____
☒ Decree-safe	<u>SRA</u>	_____
☒ Cert. of W/R	<u>dcj</u>	_____
☐ Per. Folder	_____	_____
☐ Chainindex	_____	_____
☐ Cross Ref.	_____	_____
☒ Power Claim	<u>dcj</u>	_____
☐ Abstracts	_____	_____

Williams
319

FROM
T-4407

T 9S R 45E W.M.
SECTION 3

RECEIVED
FEB 25 1980
WATER RESOURCES DEPT
SALEM, OREGON



HOLSTINE DITCH

TO:

T-4401

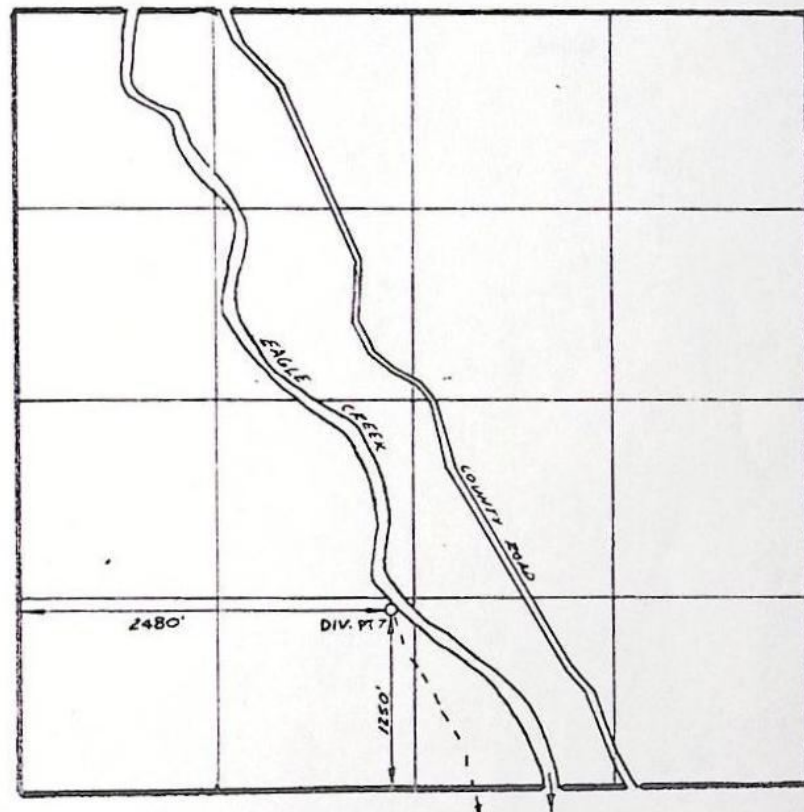
T 3S R 45E W.M.

SECTION 33

RECEIVED

FEB 25 1980

WATER RESOURCES DEPT
SALEM, OREGON



WATERBURY DITCH

STATE OF OREGON

COUNTY OF

BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

BOB WILLIAMS, JR.

of 3950 Broadway, Baker
 a right to the use of the waters of Eagle Creek

, State of Oregon 97814 , has

a tributary of Powder River
 irrigation of 1.9 acres

for the purpose of

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 1884

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
 cubic foot per second per acre, if available at the original point of
 diversion; NW 1/4 SW 1/4, Section 3, T9S, R45E, WM, Holstine Ditch - 2060 feet
 North and 610 feet East from SW Corner, Section 3.

The point of diversion is located in the SE 1/4 SW 1/4, Section 33, T8S, R45E, WM;
 Waterbury Allen Ditch - 1250 feet North and 2480 feet East from SW Corner,
 Section 33.

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

1.9 acres SE 1/4 NW 1/4
 Section 10
 Township 9 South, Range 45 East, WM

This certificate is issued to confirm a change in point of diversion approved
 by an order of the Water Resources Director entered May 22, 1980 and together
 with certificate of water right recorded at page 49632, Volume 43, State
 Record of Water Right Certificates, supersedes certificate 4627.

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 April 25 , 1985 .

William H. Young
 Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 48 , page 52929

STATE OF OREGON

COUNTY OF

BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

BUELAH ANDERSON

of Route 1, Richland
a right to the use of the waters of Eagle Creek

, State of Oregon 97870 , has

a tributary of Powder River
irrigation of 0.3 acre

for the purpose of

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 1888

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
cubic foot per second per acre, if available at the original point of
diversion; NW 1/4 SW 1/4, Section 3, T9S, R45E, WM, Holstine Ditch - 2060 feet
North and 610 feet East from SW Corner, Section 3.

The point of diversion is located in the SE 1/4 SW 1/4, Section 33, T8S, R45E, WM,
Waterbury Allen Ditch - 1250 feet North and 2480 feet East from SW Corner,
Section 33.

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

0.3 acre NE 1/4 NW 1/4
Section 10
Township 9 South, Range 45 East, WM

This certificate is issued to confirm a change in point of diversion approved
by an order of the Water Resources Director entered May 22, 1980 and together
with certificates of water right recorded at page 49633, Volume 43 and
page 52931, Volume 48, State Record of Water Right Certificates, supersedes
certificate 4748.

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 April 25 , 1985 .

William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 48 , page 52930

T-4406

RECEIVED

FEB 25 1980

Application for Transfer of Water Right

WATER RESOURCES DEPT
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Bob Williams Jr.
(Name of applicant)
of 3950 Broadway, Baker
(Mailing address) (City)
State of Oregon, 97814, 523-6859, 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 George W. Coble
(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 4627
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? 1884
6. The authorized point of diversion is located 2060 ft. N and 610 ft. E from the SW
(N. or S.) (E. or W.)
corner of Sec 3 being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3 Tp. 9S R. 45E W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Baker The name of the ditch used is Holstine

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

7. The proposed point of diversion is located 1250 ft. N and 2480 ft. E from the SW
(N. or S.) (E. or W.)
corner of Sec 33 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33 Tp. 8S 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 Waterbury-Allen

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	45E	10	SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.9

(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, Robert Williams Jr, 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 11th day of Feb., 1980.

Robert Williams Jr
(Name of applicant)

Subscribed and sworn to before me this 11th day of Feb., 1980.

[Notarial Seal]



[Signature]
NOTARY PUBLIC FOR OREGON

My commission expires 2/26/83

T-4407

RECEIVED

FEB 25 1980

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Buelah Anderson
(Name of applicant)
of Richland, Oreg,
(Mailing address) (City)
State of 97870, 293-, 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. E. Summers
(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 4748
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? 1888
6. The authorized point of diversion is located 2060 ft. N and 610 ft. E from the SW
(N. or S.) (E. or W.)
corner of Sec 3 being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3 Tp. 9S R. 45E W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Baker The name of the ditch used is Holstine

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

7. The proposed point of diversion is located 1250 ft. N and 2480 ft. E from the SW
(N. or S.) (E. or W.)
corner of Sec 33 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33 Tp. 8S 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 Waterbury-Allen

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	10	NE $\frac{1}{4}$ NW $\frac{1}{4}$	0.3 ?

(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 "

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, Berulah Anderson, 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 Feb., 1980.

Berulah Anderson
(Name of applicant)

Subscribed and sworn to before me this 12th day of Feb., 1980

[Notarial Seal]



Walter K. Sealer
NOTARY PUBLIC FOR OREGON

My commission expires 2/26/83

: POD
POU
USE
Add'1 POD

County Baker

1. Name Bob Williams, Jr.
Address 3950 Broadway, Baker, OR 97814

3. Use irrigation 1.9 ac.

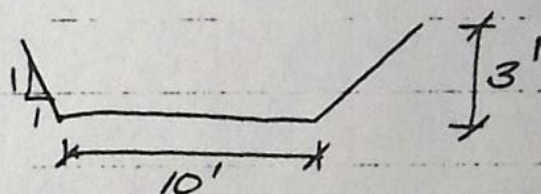
5. Proposed Point of Diversion _____

7. Place of Use:

[illegible]

BOB WILLIAMS JR. MR. JOHN RANDALL RENTS FROM
MR WILLIAMS. MR RANDALL CLAIMS APPROX 10 ACRES
FLOOD IRRIGATED FROM WATERBURY ALLEN &
HOLSTINE DITCHES. 3 ACRES FROM WATERBURY ALLEN
& 7 ACRES FROM HOLSTINE. ALL LAND IS LOCATED
IN SE 1/4 NW 1/4 SEC 10 T9S R. 45E
CROP: PASTURE & LAWN
TIE: BBB-JKK-95

WATERBURY DITCH: A 6' HEADGATE REGULATES
FLOW FROM EAGLE CREEK INTO DITCH.
X-SECTION BELOW H.G.:



JUNE 30, 1980
Vance L. Church
FIELD ENGINEER

EAGLE CREEK

WF T-3982-01

*** 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. T900044061 PERMIT NO. 006468 CERTIF. NO.
 ORIG. NO. C000046271 FEE. NO. C000046275 SUPER. NO.

NAME: BOB WILLIAMS JRADDRESS: 3950 BROADWAYCITY/STATE/ZIP/COUNTY: BAKER, OR 97814

01

STREAM-ID 09 4060 0140

RIV. MI.

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

CANCEL YEAR--->

CONSTR. COMPLT---> 05 22 1980

YR. LAST USED--->

NEXT ACTION DUE-->

PRIORITY-----> 1231 1884PUT TO USE-----> 05 22 1980

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION---> 0225 1980

SURVEYED----->

EXAM. FEE----->

RECORDING FEE----->

PERMIT ISSUE--> 0522 1980

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 05 22 1980

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

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

RIV. MI.

RATE

STATUS S OR P

0905450E 33 C D 09 4060 0140

0.048VP

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

** POD: WATER BURY- ALLEN DITCH
1250' N & 2480' E FM SW COR S 33.
CHANGES POD PART OF C-4627.

** RR C-49632.

PLACE-OF-USE DATA:

TWP/SP RGE SECT QTR/QTR CNTY USE % CSM TV ACRES

STATUS S OR P

0905450E 10 B D 01 1R 100 1.90

VP

V.I.S.

A-1 2-8-85 1, 500

E-1 2-8-85 1, 500

V-1 2-8-85 1, 500

EAGLE CREEK

WF T-0982-01

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

 PAGE 1
 RUN ON: 3/20/81 AT: 9:02

 WATER RIGHT NO. T9000 PERMIT NO. 006485 CERTIF. NO.
 ORIG. NO. C00004748/PREV. NO. C00004748/SUPER. NO.

NAME: BOB WILLIAMS, JR

ADDRESS: 3950 BROADWAY

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

01

STREAM-ID 09 4060 0140

RIV. MI.

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

CANCEL YEAR----

CONSTR. COMPLT--> 05 22 1980

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 12 31 1888

PUT TO USE-----> 05 22 1980

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION-----> 02 25 1980

SURVEYED----->

EXAM. FEE----->

RECORDING FEE----->

15.00

PERMIT ISSUE--> 05 22 1980

CONCLFRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 05 22 1980

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

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

RIV. MI.

RATE

STATUS S OR P

0805 450E 33 C D 09 4060 0140

0.008

V

P

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

 ** POD: WATERBURY-ALLEN DITCH,
 ** 1250' N & 2480' E FM SW COR S 33.
 ** CHANGES POD PART OF C-4748.

** R.R. 1-49633.

 PLACE-OF-USE DATA:
 TWP/SP RNGE SECT QTR/QTR CNTY USE % CSM TV ACRES STATUS S OR P

0905 450E 10 B A 01 1R 100 0.30

V

P

V.I.S.

2-8-85 S.D.P.

E.D.

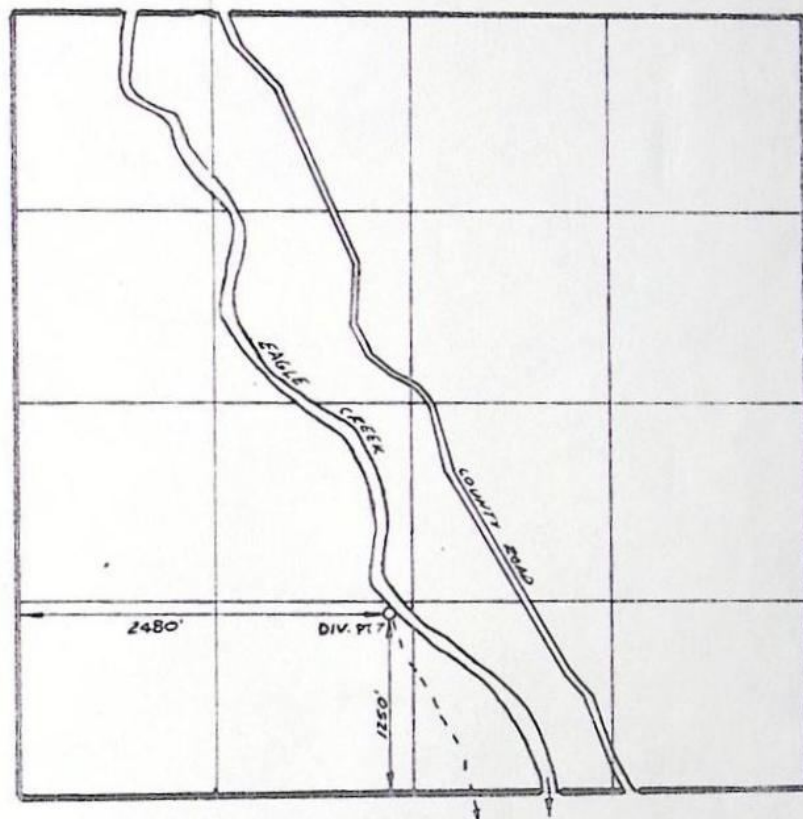
V.I.S.

TO:

T-4401

T 3S R 45E W.M.
SECTION 33

RECEIVED
FEB 25 1980
WATER RESOURCES DEPT
SALEM, OREGON



WATERBURY DITCH

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BAKER COUNTY

IN THE MATTER OF THE APPLICATION OF)
BOB WILLIAMS, JR., & BEULAH ANDERSON)
FOR A CHANGE IN POINT OF DIVERSION)
OF WATER)

ORDER APPROVING
TRANSFER NO. 4406

On February 25, 1980, an application was filed in the office of the Water Resources Director by Bob Williams, Jr., & Beulah Anderson for approval, without loss of priority, 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 George W. Coble for the use of waters of Eagle Creek for irrigation of, among other lands, a certain 1.9 acres in SE 1/4 NW 1/4, Section 10, Township 9 South, Range 45 East, W.M., being tabulated at Volume 6, page 468, with a date of priority of 1884, as evidenced by certificate recorded at page 4627, Volume 5, State Record of Water Right Certificates.

By said Decree, a water right was allowed in the name of W. E. Summers for use of waters of Eagle Creek for irrigation of, among other lands, a certain 0.3 acre in NE 1/4 NW 1/4, Section 10, Township 9 South, Range 45 East, W.M. with a date of priority of 1888, as evidenced by certificate recorded at page 4748, Volume 5, State Record of Water Right Certificates.

The authorized point of diversion is located 2060 feet North and 610 feet East from the Southwest Corner of Section 3, being within the NW 1/4 SW 1/4 of Section 3, Township 9 South, Range 45 East, W.M. (Holstine Ditch).

The applicant proposes to change the point of diversion therefrom 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 1, 8 and 15, 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:

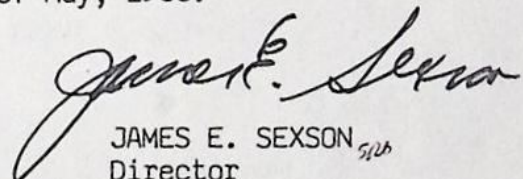
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 certificates recorded at pages 4627 and 4748, Volume 5, State Record of Water Right Certificates, be canceled; and in lieu thereof new certificates 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 applicants herein.

Dated at Salem, Oregon this 22nd day of May, 1980.


JAMES E. SEXSON_{5/26}
Director

NOTICE OF WATER
RIGHT TRANSFER
APPLICATION
NO. 4406

On Feb. 25, 1980, applications were received in the office of the Water Resources Director by Bob Williams, Jr., & Beulah Anderson for approval, without loss of priority, of changes in point of diversion from Eagle Creek.

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 Waters of Powder River and Its Tributaries, a water right was allowed in the name of George W. Coble for the use of waters of Eagle Cr for irrigation of, among other lands, a certain 1.9 ac in SE 1/4 NW 1/4, Sec 10, T 9S, R 45E, WM, being tabulated at Volume 6, page 468, with a date of priority of 1884, as evidenced by certificate recorded at page 4627, Volume 5, State Record of Water Right Certificates.

By said Decree, a water right was allowed in the name of W.E. Summers for use of waters of Eagle Cr for irrigation of, among other lands, a certain 0.3 ac in NE 1/4 NW 1/4, Sec 10, T 9S, R 45E, WM, with a date of priority of 1888, as evidenced by certificate recorded at page 4748, Volume 5, State Record of Water Right Certificates.

The authorized point of diversion for said rights is located 2060 ft N & 610 ft E from the SW Corner of Sec 3, being within the NW 1/4 SW 1/4 of Sec 3, T 9S, R 45E, WM (Holstine Ditch).

The applicants propose to change the point of diversion therefrom to a point located 1250 ft N & 2480 ft E from the SW Corner of Sec 33, being within the SE 1/4 SW 1/4 of Sec 33, T 8S, R 45E, WM (Waterbury-Allen Ditch).

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Thursday, May 22, 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 Bob Williams, Jr., 3950 Broadway, Baker, OR 97814 & on Beulah Anderson Rt 1, 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 24th day of March, 1980.

James E. Sexson,
Director

Legal No. 67
Publish: April 1, 8, and 15, 1980

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 #67
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 1st day of April, 1980, and ending with the issue dated the 15th day of April, 1980, and that the dates of publication were April 1, 1980-April 8, 1980-April 15, 1980

OK
SJB

Tricia Bevers

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

James E. Sexson
Notary Public for Oregon.

My commission expires September 8, 1982.

RECEIVED

MAY 5 1980

WATER RESOURCES DEPT
SALEM, OREGON

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
11 02-5 Cobb, T. A. New Bridge, Oregon. (Finding #30)	1878		11.5	Irrigation	Newt Young	Eagle Creek	3.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 5.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33 T 8 S. R. 45 E. W. M.
11 02-6 Coble, C. W. New Bridge, Oregon. (Finding #30)	1896		6	Irrigation	Tobin	Eagle Creek	1.33 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.67 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10 T 9 S. R. 45 E. W. M.
11 02-7 Coble, George W. New Bridge, Oregon. (Finding #30)	1884 T-4701 A POP 12 ac		8	Irrigation	Holstine	Eagle Creek	8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10 T 9 S. R. 45 E. W. M.
11 02-8 Conrad, David H. Richland, Oregon. (Finding #30)	1887		35	Irrigation	Newt Young	Eagle Creek	35 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19 T 9 S. R. 46 E. W. M.
11 02-9 Cook, J. H. New Bridge, Oregon.	1887		1.75	Irrigation	Newt Young	Eagle Creek	3/4 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10 T 9 S. R. 45 E. W. M.
11 03-0 Co-operative Trading Company, Inc., Richland, Oregon.	1877 T-4403 A POP (1) 32 ac (2) 52 ac		33.61	Irrigation	Newt Young	Eagle Creek	6.1 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 111.51 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 16 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3 T 9 S. R. 45 E. W. M.
11 03-1 Corson, Bertha & Oliver, Corson, Richland, Oregon. (Finding #30)	1879		4	Irrigation	Simonis Nash	Eagle Creek	12 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22 T 9 S. R. 45 E. W. M.
11 03-2 Craig, C. H. Richland, Oregon. (Finding #30)	1881		.2	Irrigation	Kay Young	Eagle Creek	Lot 6, Block 1, Richland, Oregon.
11 03-3 Craig, Frank Richland, Oregon.	1878		.2	Irrigation	Kay Young	Eagle Creek	Lot 11, Block 4, Incorporated Richland, Oregon.
11 03-4 Cropp, M. J. Baker, Oregon. (Finding #30)	1885		64	Irrigation	Newt Young	Eagle Creek	24 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14 T 9 S. R. 45 E. W. M.
11 03-5 Cundiff, W. C. Richland, Oregon. (Finding #30)	1865 1881		115 .3	Irrigation Irrigation	Cundiff Kay Young	Little Eagle Eagle Creek	20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 29 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 30 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 36 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26 T 9 S. R. 45 E. W. M. Lots 7, 8, 9, Block 2, Ushers West Addition to Town of Richland, Oregon.

POWDER RIVER -159-
(EAGLE CREEK)

468

T-4406

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
Chandler, W. W. Richland, Oregon	1878		0.2	Irrigation	Kay Young	Eagle Creek	Lot No. 1, Ushers South Addition Richland, Oregon. ✓
Chapman, John Richland, Oregon (Finding #30)	1886		20	Irrigation	Kay Young	Eagle Creek	20 acres in NE 1/4 NE 1/4 Section 26 T 9 S. R. 45 E. W. M. ✓
Clark, David Richland, Oregon (Finding #30)	1888		40	Irrigation	Newt Young	Eagle Creek	40 acres in NE 1/4 NW 1/4 Section 25 T 9 S. R. 45 E. W. M. ✓
Cobb, Mrs. T. A. New Bridge, Oregon	1896		17	Irrigation	Robin Young	Eagle Creek	17 acres in SW 1/4 SE 1/4 Section 33 T 8 S. R. 45 E. W. M. ✓
Cobb, T. A. New Bridge, Oregon (Finding #30)	1878		11.5	Irrigation	Newt Young	Eagle Creek	3.5 acres in SE 1/4 SW 1/4 5.5 acres in NE 1/4 SE 1/4 1.5 acres in NW 1/4 SE 1/4 1 acre in SW 1/4 SE 1/4 Section 33 T 8 S. R. 45 E. W. M. ✓
Coble, C. W. New Bridge, Oregon (Finding #30)	1896		6	Irrigation	Tobin	Eagle Creek	1.33 acres in NE 1/4 NE 1/4 4.67 acres in NW 1/4 NE 1/4 Section 10 T 9 S. R. 45 E. W. M. ✓
Coble, George W New Bridge, Oregon (Finding #30)	1884		8	Irrigation	Holstine	Eagle Creek	8 acres in SE 1/4 NW 1/4 Section 10 T 9 S. R. 45 E. W. M. ✓
Conrad, David H Richland, Oregon (Finding #30)	1887		35	Irrigation	Newt Young	Eagle Creek	35 acres in SW 1/4 SE 1/4 Section 19 T 9 S. R. 46 E. W. M. ✓
Cook, J. H. New Bridge, Oregon	1887		1.75	Irrigation	Newt Young	Eagle Creek	3/4 acre in SW 1/4 NE 1/4 1 acre in SE 1/4 NE 1/4 Section 10 T 9 S. R. 45 E. W. M. ✓
Co-operative Trading Company, Inc., Richland, Oregon	1877		33.61	Irrigation	Newt Young	Eagle Creek	6.1 acres in SW 1/4 NW 1/4 11.51 acres in NE 1/4 SW 1/4 16 acres in NW 1/4 SW 1/4 Section 3 T 9 S. R. 45 E. W. M. ✓



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: MARCH 25, 1980.FROM: ** V. Kent Searles, Watermaster

RECEIVED

MAR 27 1980

WATER RESOURCES DEPT
SALEM, OREGONSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4406IN THE NAME OF Bob Williams, Jr.

In my opinion the proposed change in POD of water from Eagle Creek
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. Searles
Watermaster's signature or initials



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: MARCH 28, 1980FROM: ** V. Kent Searles, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4407IN THE NAME OF Beulah Anderson

RECEIVED
MAR 27 1980
WATER RESOURCES DEPT
SALEM, OREGON

combined with & filed as 4406

In my opinion the proposed change in POD of water from Eagle Creek
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

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
¹⁷⁴¹ St. Elizabeth Hospital, Baker, Oregon. (Finding #30)	1887 1908		10 8	Irrigation	Holcomb Dry Gulch	Eagle Creek Eagle Creek	13 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29 T 8 S. R. 45 E. W. M.
¹⁷⁴¹ St. John, C. C. Richland, Oregon. (Finding #30)	1881		.4	Irrigation	Kay Young	Eagle Creek	0.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23 T 9 S. R. 45 E. W. M.
¹⁷⁴² Stone, Ella M. Richland, Oregon. (Finding #30)	1887		.2	Irrigation	Kay Young	Eagle Creek	Lot 8, Block 1, Halley's Addition to Richland, Oregon.
¹⁷⁴³ Stone, J. L. Richland, Oregon. (Finding #30)	1881		.2	Irrigation	Kay Young	Eagle Creek	Lot 8 Block 2, Town of Richland, Oregon.
¹⁷⁴⁴ Strayer, D. N. Baker, Oregon and Holcomb, Noble, Richland, Oregon. (Finding #30)	1887		28	Irrigation	Newt Young	Eagle Creek	28 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19 T 9 S. R. 46 E. W. M.
¹⁷⁴⁵ Strayer, W. H. Baker, Oregon. (Finding #30)	1891		30	Irrigation Domestic and stock		Baldy Gulch and Springs	30 acres in SE $\frac{1}{4}$ Section 10 T 8 S. R. 44 E. W. M.
¹⁷⁴⁶ Sullivan, Emma Richland, Oregon. (Finding #30)	1885		6	Irrigation	Newt Young	Eagle Creek	6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19 T 9 S. R. 46 E. W. M.
¹⁷⁴⁷ Sullivan, Eugene, Richland, Oregon. (Finding #30)	1885		40	Irrigation	Newt Young	Eagle Creek	40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25 T 9 S. R. 45 E. W. M.
¹⁷⁴⁸ Summers, W. E. Richland, Oregon. (Finding #30)	1888 1891 1888		38 4 9	Irrigation	Newt Young Waterbury Holstine	Eagle Creek	23 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 15 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ (1) 7.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10 T 9 S. R. 45 E. W. M.

484

POWDER RIVER -171-
(EAGLE CREEK)

T-4407

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
Stone, J. L. Richland, Oregon (Finding #30)	1881		.2	Irrigation	Kay Young	Eagle Creek	Lot 8, Block 2, Town of Richland, Oregon. ✓
Strayer, D. N. Baker, Oregon and Holcomb, Noble, Richland, Oregon (Finding #30)	1887		28	Irrigation	Newt Young	Eagle Creek	28 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19 T 9 S. R. 46 E. W. M. ✓
Strayer, W. H. Baker, Oregon	1891		30	Irrigation Domestic and stock		Baldy Gulch and Springs	30 acres in SE $\frac{1}{4}$ Section 10 T 8 S. R. 44 E. W. M. ✓
Sullivan, Emma Richland, Oregon (Finding #30)	1885		6	Irrigation	Newt Young	Eagle Creek	6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19 T 9 S. R. 46 E. W. M. ✓
Sullivan, Eugene Richland, Oregon (Finding #30)	1885		40	Irrigation	Newt Young	Eagle Creek	40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25 T 9 S. R. 45 E. W. M. ✓
Summers, W. E. Richland, Oregon (Finding #30)	1888 1891 1888		38 4 9	Irrigation	Newt Young Waterbury Holstine	Eagle Creek	23 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 15 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 11.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 7.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10 T 9 S. R. 45 E. W. M. ✓
Swisher, H. P. Baker, Oregon (Finding #30)	1881		.2	Irrigation	Kay Young	Eagle Creek	Lot 6, Block 4 Richland, Oregon. ✓
Taylor, E. S. Richland, Oregon	1891		12	Irrigation	Waterbury	Eagle Creek	12 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22 T 9 S. R. 45 E. W. M. ✓

POWDER RIVER - 195 -
(EAGLE CREEK)