

Name Serald L. Beery
 By _____
 Address Rt. 1, Box 75
Richland, OR 97870

Change in POD
 Date filed Feb 29, 1980
 Date of hearing June 4, 1980
 Place of hearing Baker
 Date of order 6-11-80 Vol. 33, page 295
 Date for application of water complete
 Proof mailed _____
 Proof received _____
 Certificate issued OCT 28 1980 Vol. 43, page 49627

APR 25 1985
APR 4 1986

48

52934
54105

REMARKS

4409

DESCRIPTION OF WATER RIGHT

Name of stream Eagle Creek
 Trib. of _____ County of Baker
 Use irrigation + stock
 Quantity of water _____ No. of acres 40
 Name of ditch Dry Gulch to Waterbury Allen
 Date of priority July 22, 1909
 In name of Dry Gulch Ditch Co.
 _____ Adjudication, Vol. _____, page _____
 App. No. 193 Per. No. E-16 Cert. No. 7424
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>2-29-80</u>	<u>35-</u>	<u>16296</u>
<u>3-28-80</u>	<u>35-</u>	<u>16297 from T-4410</u>
	<u>35-</u>	<u>16298 from T-4411</u>
TOTAL . . .		
	Cert. Fee	
<u>The Democrat Herald \$57.50 pd ckr #4203 5/2/80</u>		

FEES REFUNDED

Date	Amount	Check No.
<u>5/12/80</u>	<u>10.84</u>	<u>4204</u>
	<u>10.83</u>	<u>4205</u>
	<u>10.83</u>	<u>4206</u>
	<u>Ex 20-</u>	
	<u>POD 15-</u>	
	<u>PON 37.50</u>	
	<u>72.50</u>	

Refund 10.84 to Beery
10.83 to Stuart
10.83 to Basman

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

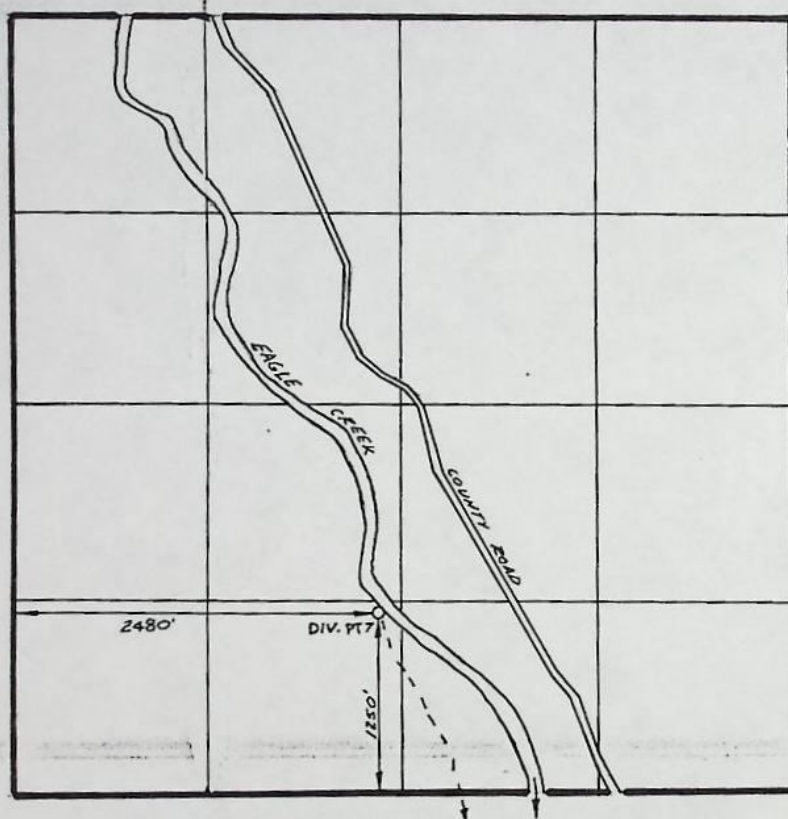
W.R.I.S.	
Assembled <u>2-8-85</u>	by <u>SRB</u>
Entered _____	by _____
Verified _____	by _____

Dry Gulch Ditch
+ Beery

TO T-4409

RECEIVED
FEB 23 1980
WATER RESOURCES DEPT
SALEM, OREGON

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



WATERBURY DITCH

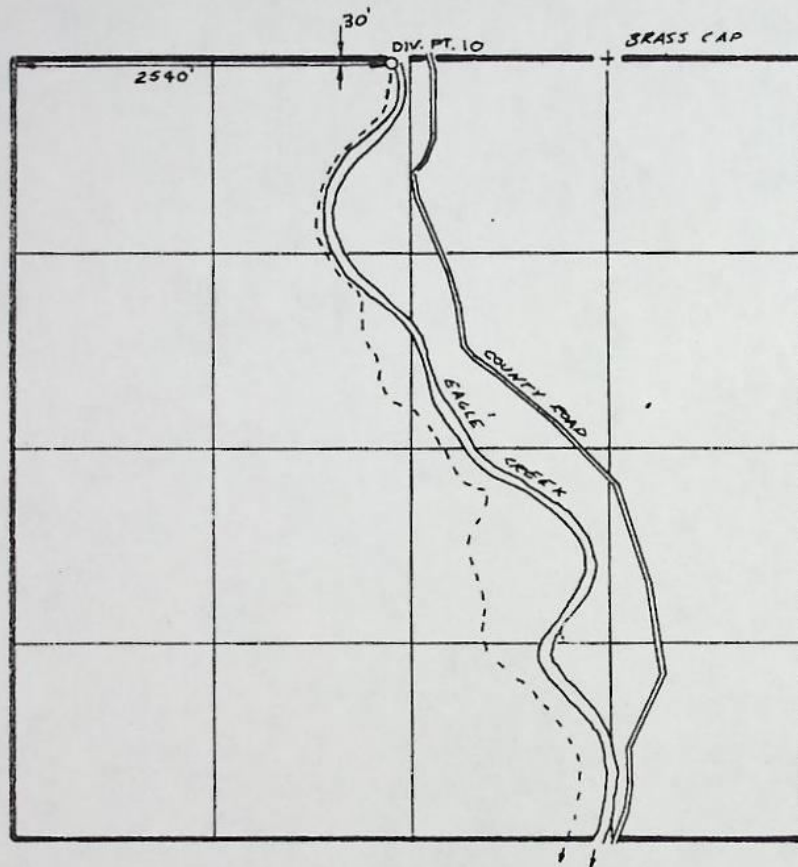
FROM:

T-4410

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FEB 23 1980
WATER RESOURCES DEPT
SALEM, OREGON

T 8S R 45E W.M.

SECTION 20



DRY GULCH DITCH

**Oregon Water Resources Department
Water Right Ownership Update Form**

NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public [ORS 537.110]. In almost every instance, a permit ("water right") from the Water Resources Department is needed before using, diverting, or storing any water [ORS 537.130]. However, most domestic wells do not require water rights. A water right stays with the land. In order to keep track of water right ownership, ORS 537.330 requires persons selling property that has a water right to: 1) provide evidence of the water right to the buyer and 2) notify the Water Resources Department of the water right involved with the real estate transaction. Sellers are exempted from this requirement if the water uses are served by a water district or a city.

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 378-8455.

RECEIVED

MAR 28 2005

Note: Please type or print legibly when filling in the following information. Use additional paper if necessary. **WATER RESOURCES DE
SALEM, OREGON**

Property Seller Information:

Name: Jack + Margaret Hale
Street Address: 41834 Blank Lane
City: Richland State: Oregon Zip: 97820
Phone: 541-893-6446

Property Buyer Information:

Name: Norma J. Apple
Street Address: 47363 Slaughterhouse Rd.
City: Halfway State: Oregon Zip: 97834
Phone: 541-742-4966

Property Description (attach additional pages if necessary):

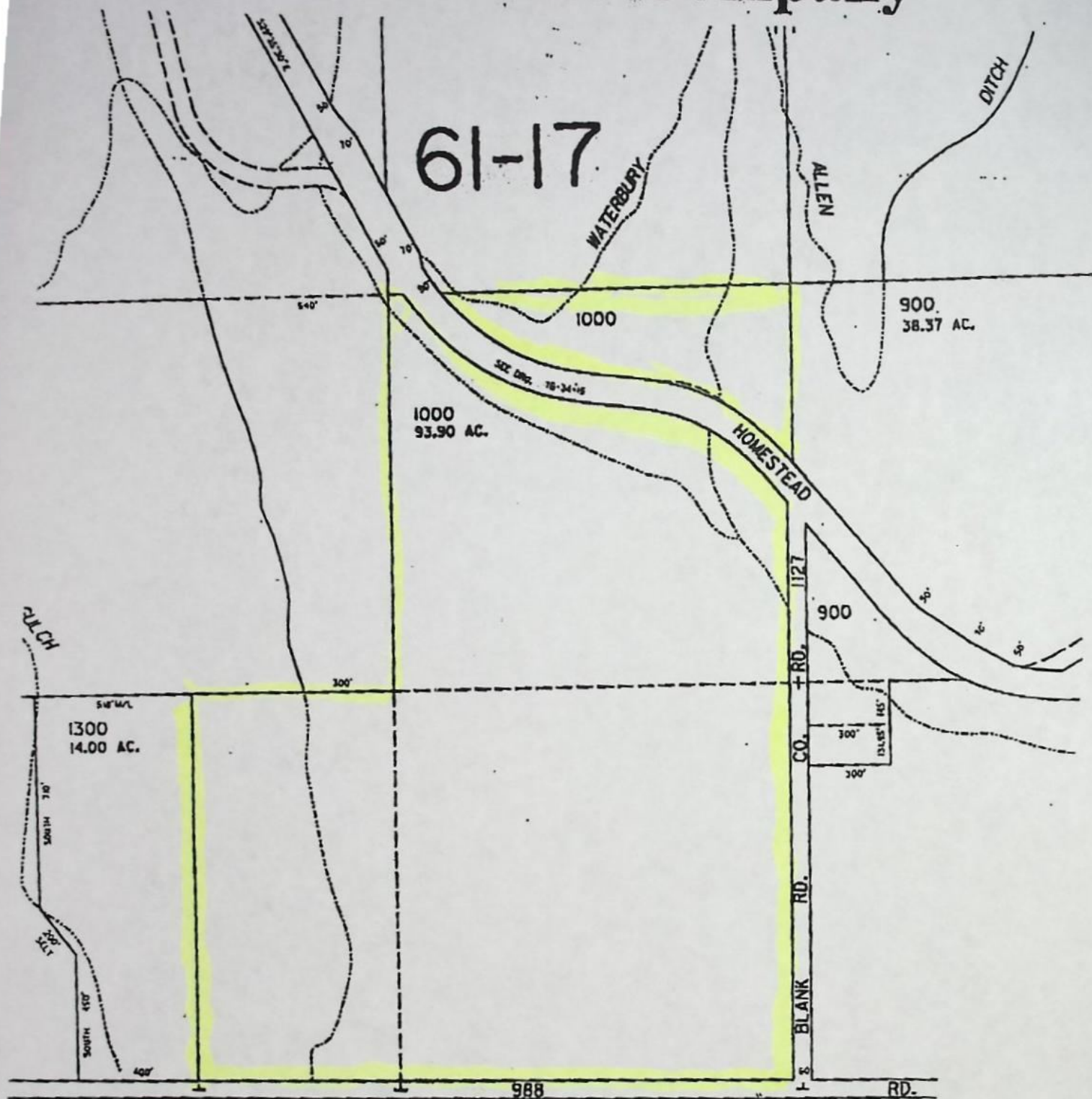
County: Baker Township: 09 Range: 45 Section: 21
Tax lot number(s): #1000 93.9 acres m/l
Meets & bounds description (or attach copy of property deed & tax-lot map with the parcels highlighted):

Water Right Information (attach copy of water right permit or certificate & final proof map if available):

Application #: _____ Permit #: E-16 Certificate #: 75355-75360
Will all the lands associated with this water right be owned by the buyer? Yes ☒ No ☐

Name of individual completing this form: VADENE BRATEN Signature: Vadene Braten
Phone: 541-742-2222 Date: 3-23-2005

Elkhorn Title Company



This sketch is for location purposes only, and no warranties are implied as to variations, if any, in dimensions or location as revealed by an accurate survey.

Map # 945 21
Order #

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MAR 28 2005

WATER RESOURCES DEPT
SALEM, OREGON

File No.: 00015482

EXHIBIT "A"

IN TOWNSHIP 9 SOUTH, RANGE 45 EAST of the Willamette Meridian,
in the County of Baker and State of Oregon:

Section 21: The Northwest quarter of the Southeast quarter;

EXCEPTING THEREFROM the following two parcels:

Parcel No. 1: That portion conveyed to Baker
County, by deed recorded December 3, 1925, in
Book 104, page 425.

Parcel No. 2: That portion conveyed to the
State of Oregon, by and through its State
Highway Commission, by deed recorded April 8,
1957, in Deed Book 166, page 1012, re-recorded
April 17, 1957, in Deed Book 166, page 1066.

The Southwest quarter of the Southeast quarter, and
the East half of the Southeast quarter of the
Southwest quarter;

EXCEPTING THEREFROM that portion conveyed to Baker
County by deed recorded July 3, 1962, in Deed Book
172, page 1144.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BAKER COUNTY

IN THE MATTER OF THE APPLICATION)
OF JERALD L. BEERY FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER)

ORDER APPROVING
TRANSFER NO. 4409

On February 25, 1980, an application was filed in the office of the Water Resources Director by Jerald L. Beery 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.

The affected water right is a portion of the right described by the certificate recorded at page 7424, Volume 7, State Record of Water Right Certificates, in the name of Dry Gulch Ditch Company, and is for the use of not to exceed 0.066 cubic foot per second from Eagle Creek under a priority date of July 22, 1909, for irrigation of a certain 5.3 acres in SW 1/4 NW 1/4 of Section 10, Township 9 South, Range 45 East W.M.

The authorized point of diversion is located 30 feet ~~North~~ and *South* 2540 feet East from the Northwest Corner of Section 20, being within the NE 1/4 NW 1/4 of Section 20, Township 8 South, Range 45 East, W.M. (Dry Gulch 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 10, 17, and 24, 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:

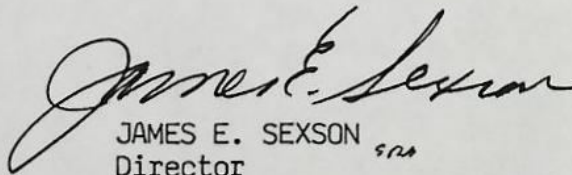
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 7424, Volume 5, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 11th day of June, 1980.


JAMES E. SEXSON
Director

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

To: Water Rights Section

Date: Feb. 4, 1982

From: V. Kent Searles *VKS*

Subject: Certificates #7424 & 49627

RECEIVED
FEB 8 1982
WATER RESOURCES DEPT
SALEM, OREGON

ETG 193

Cert. #49627 appears to have a typo error locating 26 acres in the NE1/4NE1/4, Section 9, Twp.9s., R.45 E.W.M.

Six of these acres appear to actually be within the NW1/4NE1/4 of said section 9.

VKS/rmg

*2/5/82
Re-issue, unless more
changes anticipated soon
Maybe w/confirming*

POD
POU
USE
Add'l POD

County Baker

1. Name Jerald L. Beery
Address RT1, Box 75, Richland, OR 97870

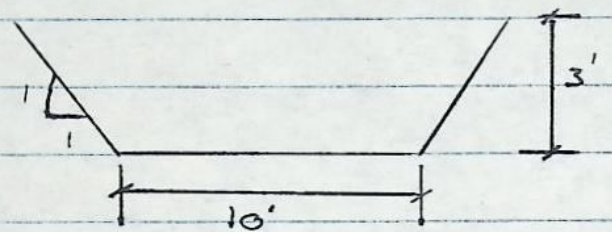
5. Proposed Point of Diversion 1250' N + 2480' E from SW Corner
of S 33, w/in SE $\frac{1}{4}$ SW $\frac{1}{4}$, S 33, T 85, R 45E, W 1M
Waterbury-Allen Ditch.

7. Place of Use:

[illegible]

INFO: JERRY BEERY, MR BEERY CLAIMS APPROX $3\frac{1}{2}$ ACRES
FLOOD IRRIGATED FROM THE WATERBURY-ALLEN DITCH
THIS LAND IS LOCATED IN SW $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 10 T.9S. R.45E.

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



CROP: LAWN, PASTURE

LIFT: -15

TIE: INSPECTION

JUNE 30, 1980

Vernon L. Church

FIELD ENGINEER

EAGLE CREEK

WPT-0582-01

*** OREGON WATER RESOURCES DEPARTMENT ***

*** WATER RIGHTS DIVISION ***

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

*** WATER RIGHT DATA INPUT FORM ***

WATER RIGHT NO. ~~50000~~ 44091 PERMIT NO. 000E16 CERTIF. NO.

NAME: JERALD L. BEERY

ORIG. NO. ~~00000~~ 44091 REV. NO. ~~00000~~ SUPER. NO.

ADDRESS: RT1, BOX 75

A000001931

A000001931

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

01

STREAM-ID 09 4060 0140

RIV. MI.

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

CANCEL YEAR-->

CONSTR. COMPLT--> 06 11 1980

YR. LAST USED-->

NEXT ACTION DUE-->

PRIORITY--> 07 22 1909

PUT TO USE--> 06 11 1980

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION--> 02 29 1980

SURVEYED-->

EXAM. FEE-->

RECORDING FEE-->

15.00

PERMIT ISSUE--> 06 11 1980

CONCURRENCE-->

CYCLE STATUS-->

REPORTED FLAG-->

CONSTR. STRT.--> 06 11 1980

CERTIFIED-->

CORRES. INIT.-->

CORRES. DATE-->

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

RIV. MI.

RATE

STATUS S OR P

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

0903 450E 33 C D 09 4060 0140

0.066

V

P

** POD: WATERBURY-ALLEN DITCH

** 1250' N & 2480' E FM SW COR S 33.

** CHANGES POD PART OF C-7429.

** RR C-49627.

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

0903 450E 10 B C 01 1R 100 5.30

V

P

49627

V.D.S.

A.M. 2-8-85 SVD

E.M. 2-8-85 SVD

V.D.S. 2-8-85 SVD

MIST FILE

Missed

RECEIVED
FEB 23 1980
WATER RESOURCES DEPT
SALEM, OREGON

85
1938
T-4411

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, ~~C. BASMAN~~ C.L. BASMAN
(Name of applicant)
of Rt 1 Box 75A
(Mailing address), Richland OR 97870
(City)
State of _____, 893-4132, 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, Dry Gulch Ditch Company
(If not, give name)

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

3. Was your water right acquired by Water Right Permit? Yes If so, give number
(Yes or No)
of permit E-16 Number of certificate 7424

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? July 22, 1909

6. The authorized point of diversion is located 30 ft. S and 2540 ft. E from the NW
(N. or S.) (E. or W.)
corner of Sec. 20 being within the NE 1/4 NW 1/4 of Section 20 Tp. 8S R. 45E W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Baker The name of the ditch used is Dry Gulch

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 1/4 SW 1/4 of Section 33 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 Halstine 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	SW $\frac{1}{4}$ NW $\frac{1}{4}$	0.7
				check with F.P. Map 5/16 3-17-86

(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, CYRIL LOUIS BASMAN, 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 20 day of FEBRUARY, 1980

Cyril Louis Basman
(Name of applicant)

Subscribed and sworn to before me this 20 day of Feb, 1980

[Notarial Seal]

Stuber Kent Seader
NOTARY PUBLIC FOR OREGON

My commission expires 2-26-83

RECEIVED

FEB 20 1980

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, GORDON STUART

Rt. 1, Box 74A Richland, Ore, 97870
(Name of applicant)

of _____
(Mailing address) (City)

State of _____, _____, _____
(Zip Code) (Phone number) do hereby make application for change

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, Dry Gulch Ditch Company
(If not, give name)

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

3. Was your water right acquired by Water Right Permit? Yes If so, give number
(Yes or No)
of permit E-16 Number of certificate 7424

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? July 22, 1909

6. The authorized point of diversion is located 30 ft. S and 2540 ft. E from the NW
(N. or S.) (E. or W.)
corner of Sec. 20 being within the NE 1/4 NW 1/4 of Section 20 Tp. 8S R. 45E W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Baker The name of the ditch used is Dry Gulch

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 1/4 SW 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	SW $\frac{1}{4}$ NW $\frac{1}{4}$	0.6

(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 beforeCOMPLETED.....

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

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, Gordon W. Stuart, 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 26th day of Feb, 1980

Gordon W. Stuart
(Name of applicant)

Subscribed and sworn to before me this 26th day of Feb, 1980

[Notarial Seal]

Richard V. Decker
NOTARY PUBLIC FOR OREGON

My commission expires 2/26/83

RECEIVED

FEB 23 1980

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF WATER
RIGHT TRANSFER
APPLICATION No. 4409

The Water Resources
Director of Oregon has
received and filed an ap-
plication by Jerald L. Beery,
Gordon Stuart & C.L. Basman
for approval, without loss of
priority, of a change in point of
diversion under a certain
water right.

The affected water right is a
portion of the right described
by the certificate recorded at
page 7424, Volume 7, State
Record of Water Right Cer-
tificates, in the name of Dry
Gulch Ditch Company, and is
for the use of not to exceed
0.066 cubic foot per second
from Eagle Creek under a
priority date of July 22, 1909,
for irrigation of a certain 5.3
ac in SW 1/4 NW 1/4 of Sec 10, T
9S, R 45E, WM.

The authorized point of
diversion is located 30 ft N &
2540 ft E from the NW Corner
of Sec 20, being within the
NE 1/4 NW 1/4 of Sec 20, T 8S, R
45E, Wm (Dry Gulch Ditch).

The applicants propose to
change the point of diversion
therefrom to a point located
1250 ft N & 2480 ft E from the
SE 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 Wednesday, June 4,
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 Jerald L. Beery at Rt 1, Box
75; on Gordon Stuart at Rt 1,
Box 74A; and on C.L. Basman
at Rt 1, Box 75A, 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 fur-
nished 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
4th day of April, 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 un-
interruptedly published once each week for at least twelve consecutive months immediately pre-
ceding the first publication of the attached Legal Advertisement #81,
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
10th day of April, 1980, and ending with the issue dated the
24th day of April, 1980, and that the dates of publication were
April 10, 1980-April 17, 1980-April 24, 1980

OK SRA

Tricia Bevers

Subscribed and sworn to before me this 30th
day of April, 1980
Shyllis Luge
Notary Public for Oregon.

My commission expires September 8, 1982

RECEIVED
MAY 1 1980
WATER RESOURCES DEPT
SALEM, OREGON



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: FEB 26, 1980

FROM: **

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4409IN THE NAME OF GERALD BEERY

In my opinion the proposed change in P.O.D.
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.B.
Watermaster's signature or initials

RECEIVED
FEB 20 1980
WATER RESOURCES DEPT
SALEM, OREGON



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: FEB 26, 1980.

FROM: **

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4410IN THE NAME OF GORDON STUART

In my opinion the proposed change in P.O.D.
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.D.
Watermaster's signature or initials

RECEIVED
FEB 23 1980
WATER RESOURCES DEPT
SALEM, OREGON



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: FEB 26, 1980

FROM: **

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4411IN THE NAME OF CL BASEMAN

In my opinion the proposed change in P.O.D.
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 _____

**

E.S.
Watermaster's signature or initials

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SALEM, OREGON

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MARCH 1900

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

43

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

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-4444

48

49

NEWT YOUNG TO TOBIN

47.50 EACH

CARL CARNAGEY

GILL WRIGHT

T-4450

51

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

JOHN W. WRIGHT

85.00

T-4453

Name	C#	Cert filled	Cert 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 Opperman	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
Chester 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

T-4409
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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	SW $\frac{1}{4}$ NW $\frac{1}{4}$	2.2 4.0

(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.? No
(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.
(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 beforeCOMPLETED.....

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, Jerald L. Beery, 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 20 day of Feb, 1980.

Jerald L. Beery
(Name of applicant)

Subscribed and sworn to before me this 20th day of Feb, 1980.

[Notarial Seal]

John F. Seiler
NOTARY PUBLIC FOR OREGON

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FEB 20 1980

SOURCES DEPT

OREGON

My commission expires 2/26/83

