

Name George Holcomb
By _____
Address Rt. 1, Box 10
Richland, OR 97870

4441

DESCRIPTION OF WATER RIGHT

Name of stream Eagle Creek
Trib. of _____ County of Baker
Use irrigation & stock
Quantity of water _____ No. of acres 71
Name of ditch Key Young to Newt Young
Date of priority 1881
In name of Candace E. Holcomb
Powder River Adjudication, Vol. _____, page _____
App. No. _____ Per. No. _____ Cert. No. 4669
Certificate cancelled 4660
Notation made on record by 44244

FEES PAID

Date	Amount	Receipt No.
3-24-80	35-	16796
3-28-80	35	16798 fm T-4442
3-28-80	35	16788 " T-4443
TOTAL . . .		
	Cert. Fee	

Democrat Herald \$52.50 pd 5/12/80 Ckt# 4164

FEES REFUNDED

Date	Amount	Check No.
5/12/80	5.84	4165
	5.83	4166
	5.83	4167

Ex 20 00

POD 15 00

POD 52 50

87 50

Refund 5 84 Holcomb

5 83 Ellis

5 83 Forster

Don't know
George Holcomb
Dale Ellis

Change in POD
Date filed March 24, 1980
Date of hearing June 10, 1980
Place of hearing Baker
Date of order 6-11-80 Vol. 33, page 301
Date for application of water complete
Proof mailed _____
Proof received _____
Certificate issued SEP 4 1980 Vol. 43, page 49433
" " " 49434
" " " 49435
" " " 52939
" " " 52940

APR 25 1985

48

REMARKS
52941

W.R.I.S.

Assembled 2-13-85 by SDA

Entered _____ by _____

Verified _____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
☒	Name	<u>SRB</u>	_____
☒	Stream	<u>SRB</u>	_____
☒	Pt. of Div.	_____	_____
☒	Calendar	<u>DG</u>	_____
☒	CHECKED TO RECORDS:		
☒	Twp. & Rge.	<u>SRB</u>	_____
☒	Decree-vault	<u>SRA</u>	_____
☒	Decree-safe	<u>SRB</u>	_____
☒	Cert. of W/R	<u>SRB</u>	_____
☐	Per. Folder	_____	_____
☐	Chainindex	_____	_____
☐	Cred. Ref.	_____	_____
☐	Prop. Claim	_____	_____
☒	Abstracts	<u>DG</u>	_____

352

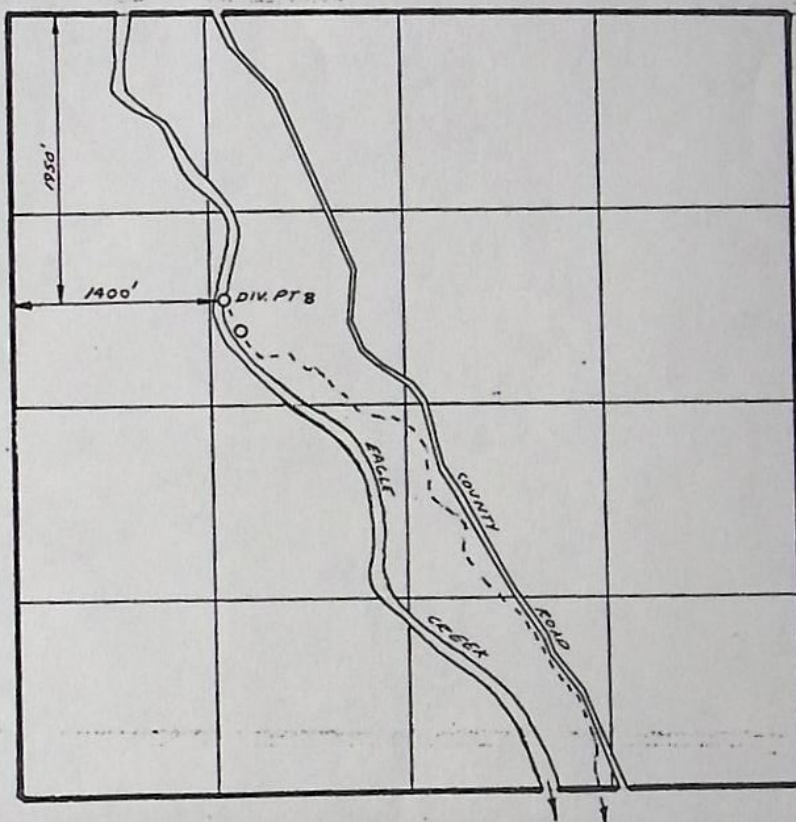
T-4441

To:

RECEIVED
MAR 2 1980
WATER RESOURCES DEPT
SALEM, OREGON

T 8S R 45E W.M.

SECTION 33



NEWT YOUNG DITCH

: POD
POU
USE
Add'1 POD

County BAKER

1. Name George Holcomb, et al
Address Richland, OR 97870

5. Proposed Point of Diversion 1950' S & 1400' E from NW Cor, S. 33,
w/in SE $\frac{1}{4}$ NW $\frac{1}{4}$, S. 33, T 8S, R 45E, WM.
Newt Young Ditch

7. Place of Use:

[illegible]

GEORGE HOLCOMB MR HOLCOMB CLAIMS APPROX 150 ACRES OF IRRIGATION FROM NEWT YOUNG DITCH. LAND IRRIGATED FROM NEWT YOUNG IS PASTURE & HAY; ALL IS FLOODED. MR HOLCOMB ALSO LEASES ^{APPROX.} 120 ACRES FROM LINN HOLCOMB ESTATE WHICH IS IRRIGATED FROM KAY YOUNG DITCH. LAND IRRIGATED FROM KAY YOUNG DITCH IS PASTURE & HAY. ALL LAND FROM KAY YOUNG DITCH IS FLOOD.

NEWT YOUNG DITCH: TWO 4' HEADGATES REGULATE WATER FROM EAGLE CREEK INTO DITCH. APPROX 200' DOWN DITCH A 10' WEIR CONTROLS H.G.L. AT LOW FLOWS IN UPPER 200' REACH OF DITCH ALL WATER IS RETURNED TO EAGLE CREEK. THE WEIR APPEARS TO BE SET ~12" ABOVE A 3' "SPILLWAY" WHICH RETURNS A PREDETERMINED FLOW TO EAGLE CREEK WHEN THE ENTIRE CHANNEL IS DAMMED AT DIV. PT.

X-SECTION, HEADGATE TO WEIR:

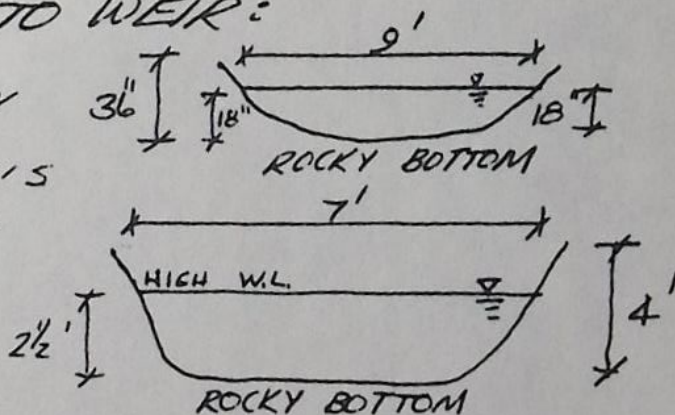
CROP: LAWN, PASTURE & HAY

TIE: B93-2KK-123, B93-2KK-115

X-SECTION, BELOW WEIR.

JUNE 30 1990

Sam I. Church
FIELD ENGINEER



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BAKER COUNTY

IN THE MATTER OF THE APPLICATION)
OF GEORGE HOLCOMB, DALE ELLIS AND)
DAN L. FORSEA & SONS, INC., FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4441

On March 24, 1980, an application was filed in the office of the Water Resources Director by George Holcomb, Dale Ellis and Dan L. Forsea & Sons, Inc. 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 Candace E. Holcomb for use of waters of Eagle Creek for irrigation of, among other lands, a certain 3.5 acre in NE 1/4 SE 1/4, Section 24, Township 9 South, Range 45 East, and 3.6 acres in SW 1/4 SW 1/4, Section 19, Township 9 South, Range 46 East, W.M., being tabulated at Volume 6, page 475, with a date of priority of 1881, as evidenced by certificate recorded at page 4669, Volume 5, State Record of Water Right Certificates.

By said Decree, a water right was allowed in the name of Paul Knoblauch for use of waters of Eagle Creek for irrigation of, among other lands, a certain 0.4 acre in NE 1/4 SW 1/4, Section 24, Township 9 South, Range 45 East, W.M., being tabulated at Volume 6, page 478, with a date of priority of 1881, as evidenced by certificate recorded at page 44244, Volume 36 of said record.

By said Decree, a water right was allowed in the name of Lovell Gover for use of waters of Eagle Creek for irrigation of, among other lands, a certain 8.7 acres in SW 1/4 SE 1/4, Section 14, Township 9 South, Range 45 East, W.M., being tabulated at Volume 6, page 473, with a date of priority of 1885, as evidenced by certificate recorded at page 4660, Volume 5 of said record.

The authorized point of diversion is 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).

The applicants propose to change the point of diversion therefrom, without loss of priority, to a point located 1950 feet South and 1400 feet East from the Northwest Corner of Section 33, being within the SE 1/4 NW 1/4 of Section 33, Township 8 South, Range 45 East, W.M. (Newt 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.

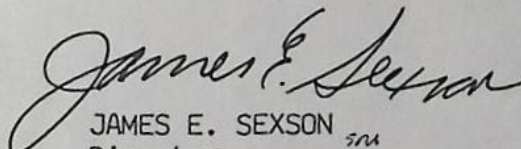
It is FURTHER ORDERED that NO time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that the certificates recorded at pages 4669, Volume 5, and page 44244, Volume 36, 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, confirming certificates of water right shall be issued to the applicants herein.

The order of the Water Resources Director entered June 11, 1980, approving transfer application No. 4437, provided for cancellation of the certificate of water right recorded at page 4660, Volume 5, State Record of Water Right Certificates, and issuance of a new certificates covering the balance of the rights 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 11th day of June, 1980.


JAMES E. SEXSON
Director

28.75 with I D
or 38.33 without

T-4442

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35

Application for Transfer of Water Right

RECEIVED
MAR 24 1980
WATER RESOURCES DEPT
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, DALE DE Ellis (Name of applicant)
of Richland, Or (Mailing address), Richland (City)
State of Oregon, 97870 (Zip Code), 8933477 (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)

✓6, p478

1. Is the water right recorded in your name? No Paul Knoblauch
(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 44244
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? 1881
6. The authorized point of diversion is located 1700 ft. S and 2450 ft. E from the NW corner of Sec 10 being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ 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 used is Kay Young

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

7. The proposed point of diversion is located 1950 ft. S and 1400 ft. E from the NW corner of Sec 33 being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33 Tp. 8S 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 Newt 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:

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	24	NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.4

(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, W. Dale Ellis, 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

W. Dale Ellis

(Name of applicant)

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

[Notarial Seal]



Charles A. Noren
NOTARY PUBLIC FOR OREGON

My commission expires 2/26/83

28.75 with IP or
38.33 without

RECEIVED T-4441

MAR 2 1980

WATER RESOURCES DEPT
SALEM, OREGON

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35

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, GEORGE HOLCOMB

(Name of applicant)

of Rt 1 Box 10, Richland

(Mailing address)

(City)

State of Oregon, 97870, 893-4113, 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)

V6 P 475

1. Is the water right recorded in your name? No Candace E. Holcomb

(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 4669

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? 1881

6. The authorized 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., in the county of Baker The name of the ditch used is Kay Young

(N. or S.)

(E. or W.)

(No. N. or S.)

(No. E. or W.)

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

7. The proposed point of diversion is located 1950 ft. S and 2450 ft. E from the NW corner of Sec. 33 being within the SE 1/4 NW 1/4 of Section 33 Tp. 8S R. 45E W. M., in the county of Baker The name of the ditch to be used is Newt Young

(N. or S.)

(E. or W.)

(No. N. or S.)

(No. E. or W.)

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	24	NE $\frac{1}{4}$ SE $\frac{1}{4}$	3.5
	46E	19	<i>Lyons Holcomb</i> SW $\frac{1}{4}$ SW $\frac{1}{4}$	3.6

(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.? Yes
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is _____
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

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

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

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
4666 Healey, Jennie Richland, Oregon. (Finding #30)	1881		.3	Irrigation	Kay Young	Eagle Creek	Lots 4 and 5, Usher's West Addition to Richland, Oregon.
4667 Healey, L. M. New Bridge, Oregon. (Finding #30)	1888		21	Irrigation	Holstine	Eagle Creek	21 acres in SE 1/4 NW 1/4 Section 10 T 9 S. R. 45 E. W. M.
4668 Hewitt, F. G. Halfway, Oregon. (Finding #30)	1881		1	Irrigation	Kay Young	Eagle Creek	Lots 4 and 5, Usher's South Addition Lot 4, Block 3, North 1/2, Lot 3, Block 3, Richland, Oregon.
4669 Holcomb, Candace E. Richland, Oregon. (Finding #30)	1886		6 1/2	Irrigation	Newt Young	Eagle Creek	6 1/2 acres in NW 1/4 NW 1/4 Section 19 T 9 S. R. 46 E. W. M.
	1881		120	Irrigation	Kay Young	Eagle Creek	40 acres in NE 1/4 SE 1/4 Section 24 T 9 S. R. 45 E. W. M.
T-4441 Δ PDD 3.576 NW 1/4 Sec 25 3.676 SW 1/4 Sec 19							
4670 Holcomb, Corintha E. New Bridge, Oregon. (Finding #30)	1878		11.5	Irrigation	Newt Young	Eagle Creek	40 acres in SW 1/4 SW 1/4 Section 19 T 9 S. R. 45 E. W. M.
	1876		6	Irrigation	Moody	Eagle Creek	.5 acres in NW 1/4 NE 1/4 9 acres in SW 1/4 NE 1/4 1 acre in SE 1/4 NE 1/4 .7 acre in NE 1/4 NE 1/4 Section 10 T 9 S. R. 45 E. W. M. Lot 6, Block 2, New Bridge, Oregon. 1/2 of Lots 1 and 2, Block 1, Lots 6, 7 and 8, Block 4, New Bridge, Oregon. 4 acres in SW 1/4 NE 1/4 Sec. 10 T 9 S. R. 45 E. W. M.
4671 Holcomb, J. N. New Bridge, Oregon. (Finding #30)	1878		1	Irrigation	Newt Young	Eagle Creek	Lots 9, 10, 11 and 12, Block 1, Lot 12, Block 4, New Bridge, Oregon.
4672 Holcomb, W. A. Richland, Oregon.	1892		20	Irrigation	Newt Young	Eagle Creek	20 acres in NW 1/4 SW 1/4 Section 24 T 9 S. R. 45 E. W. M.
4673 Howard, Mary H. Richland, Oregon.	1878		.4	Irrigation	Kay Young	Eagle Creek	Lots 8 and 9, Block 3, Richland, Oregon.
4674 Howell Ditch Company, Richland, Oregon (Finding #30)	July 12, 1901		392	Irrigation	Howell	Eagle and Daly Creeks	17 acres in SE 1/4 NE 1/4 Section 35 x 37 acres in SE 1/4 SE 1/4 Section 25 40 acres in NE 1/4 NE 1/4 30 acres in NW 1/4 NE 1/4 21.5 acres in SW 1/4 NE 1/4 30 acres in SE 1/4 NE 1/4 x 20 acres in NE 1/4 NW 1/4 10 acres in NW 1/4 NW 1/4 36.5 acres in SW 1/4 NW 1/4 25.5 acres in SE 1/4 NW 1/4 4.5 acres in NW 1/4 SW 1/4 Section 36 T 9 S. R. 45 E. W. M.

Application
 See Cert. 4231
 60.0 acres
 (37.5 SE 1/4 - 25)
 (23.5 NW 1/4 - 22)

100.0 ac
 already tabulated
 under Chas. H. Howell
 10.0
 10.0

POWDER RIVER - 163- (EAGLE CREEK)

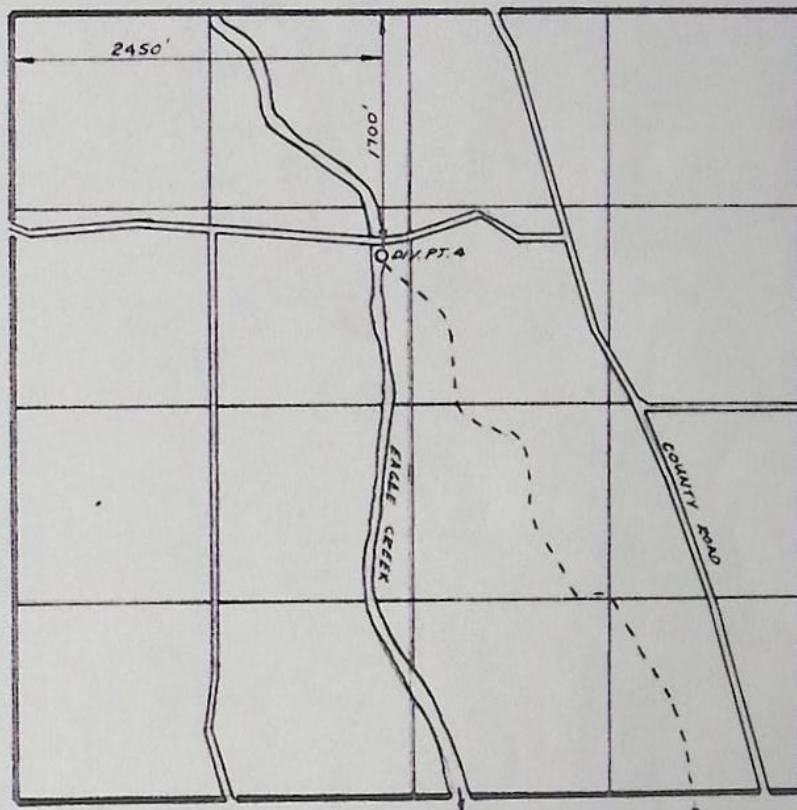
475

T-4441

FROM :

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

RECEIVED
MAR 24 1980
WATER RESOURCES DEPT
SALEM, OREGON



KAY YOUNG DITCH

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, George N. Holcomb, 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

George N. Holcomb
(Name of applicant)

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

[Notarial Seal]

Victor Kent Seader
NOTARY PUBLIC FOR OREGON

My commission expires 2/26/83



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15

RECEIVED
MAR 21 1980
WATER RESOURCES DEPT
SALEM, OREGON

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RECEIVED
MAR 24 1980
WATER RESOURCES DEPT
SALEM, OREGON

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MAR 24 1980
WATER RESOURCES DEPT
SALEM, OREGON

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	14	SW $\frac{1}{4}$ SE $\frac{1}{4}$	8.7

(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 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, 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, 1980

Walter J. Forsea Pres.
(Name of applicant)

Subscribed and sworn to before me this 13th day of Feb, 1980

[Notarial Seal]



Victor A. Seabright
NOTARY PUBLIC FOR OREGON

My commission expires 2/26/83

EAGLE CREEK

T-3582-01

*** 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. T900044912 PERMIT NO. 006478 CERTIF. NO.
 ORIG. NO. C00004669 PREL. NO. C00004669 SUPER. NO.
46931 C000442441
NAME: GEORGE HOLCOMBADDRESS: RT 1, Box 10CITY/STATE/ZIP/COUNTY: RICHLAND, OR 97870 01STREAM-ID 09 4060 0140

RIV. MI.

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

CANCEL YEAR--->

CONSTR. COMPLT--> 06 11 1980

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 12 31 1981PUT TO USE-----> 06 11 1980

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION-----> 03 24 1980

SURVEYED----->

EXAM. FEE-----> 20.00RECORDING FEE-----> 15.00PERMIT ISSUE--> 06 11 1980

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 06 11 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

** REMARKS: - - - - -

** DATED-->

** POD: NEWT YOUNG DITCH, 1950'S** 1400'E FM NW COR S33. CHANGES** POD PART OF C-4669. RRC-49434.C-44244 49435

** -----

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 PLACE-OF-USE DATA:
 TWP/SP RNGE SECT QTR/QTR CNTY USE % CHSMTV ACRES STATUS S OR P
0905 450E 24 C A 01 1R 100 0.40VP

V.O.I.S.

A-1 2-13-85 J. SK

E-1

V-1

EAGLE CREEK

W T-0582-01

*** 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. 5900044411 PERMIT NO. 006475 CERTIF. NO.
 ORIG. NO. C000046691 PREV. NO. C000046691 SUPER. NO.
NAME: GEORGE HOLCOMBADDRESS: RT 1, Box 10CITY/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-->	CONSTR. COMPLT-->	06 11 1980	YR. LAST USED----->	---	NEXT ACTION DUE-->	---
PRIORITY----->	PUT TO USE----->	06 11 1980	LAST TRANS. DATE-->	---	LAST TRANS. TYPE-->	---
APPLICATION-->	SURVEYED----->	03 24 1980	EXAM. FEE----->	20.00	RECORDING FEE----->	15.00
PERMIT ISSUE-->	CONCURRENCE----->	06 11 1980	CYCLE STATUS----->	---	REPORTED FLAG----->	---
CONSTR. STRT.-->	CERTIFIED----->	06 11 1980	CORRES. INIT.----->	---	CORRES. DATE----->	---

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

0805 450E 33 B D 09 4060 0140

 RIV. MI. RATE
0.178

 STATUS S OR P
V P

 ** REMARKS: - - - - -
 ** DATED-->
 ** POD: NEW YOUNG DITCH, 1950'S E
 ** 1400'E FM NW COR S33. CHANGES
 ** POD PART OF C-4669. RRC-49434.

PLACE-OF-USE DATA:							
TWP/SP RGE SECT	QTR/QTR	CNTY	USE %	CNSMTV	ACRES	STATUS	S OR P
<u>0905 450E 24</u>	<u>D A</u>	<u>01</u>	<u>1R</u>	<u>100</u>	<u>3.50</u>	<u>V</u>	<u>P</u>
<u>0905 460E 19</u>	<u>C C</u>				<u>3.60</u>		

V.D.I.S.

A-11-12-13-85 1. 804

E-11-12-13-85 1. 804

V-11-12-13-85 1. 804

REF T-3982-01

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

CITY/STATE/ZIP/COUNTY: RICHLAND, OR 97870 01

CORRES. DATE----->

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

V

2

POD: NEWT YOUNG DITCH, 1950'S E
1400'E FM NW COR S33. CHANGES
POD PART OF C-~~4660~~. RRC-~~49433~~
4660 49433

TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE %	CNSMTV	ACRES	STATUS	S	OR	P
-------	------	------	---------	------	-------	--------	-------	--------	---	----	---

v

12

1. *_____*
 2. *_____*
 3. *_____*

152155

1-... ; 2-13-85 ; 88

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

Ver'ed _____

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4441

On March 24, 1980, an application was filed in the office of the Water Resources Director by George Holcomb, Dale Ellis & Dan L. Forsea & Sons, Inc. 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 Candace E. Holcomb for use of waters of Eagle Cr for irrigation of, among other lands, a certain 3.5 ac in NE 1/4 SE 1/4, Sec 24, T9S, R45E, & 3.6 ac in SW 1/4 SW 1/4, Sec 19, T9S, R46E, WM being tabulated at Volume 6, page 475 with a date of priority of 1881, as evidenced by certificate recorded at page 4669, Volume 5, State Record of Water Right Certificates.

By said Decree, a water right was allowed in the name of Paul Knoblauch for use of waters of Eagle Cr for irrigation of, among other lands, a certain 0.4 ac in NE 1/4 SW 1/4, Sec 24, T9S, R45E, WM, being tabulated at Volume 6, page 478, with a date of priority of 1881, as evidenced by certificate recorded at page 44244, Volume 36 of said record.

By said Decree, a water right was allowed in the name of Lovell Gover for use of waters of Eagle Cr for irrigation of, among other lands, a certain 8.7 ac in SW 1/4 SE 1/4, Sec 14, T9S, R45E, WM, being tabulated at Volume 6, page 473, with a date of priority of 1885, as evidenced by certificate recorded at page 4660, Volume 5 of said record.

The authorized point of diversion is 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).

The applicants propose to change the point of diversion therefrom, without loss of priority, to a point located 1950 ft S & 1400 ft E from the NW corner of Sec 33, being within the SE 1/4 NW 1/4 of Sec 33, T8S, R45E, WM (Newt 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 objection to the proposed change must be prepared in writing: one copy to be served on George Holcomb at RT.1, Box 10, Richland, OR 97870 & on Dale Ellis and Dan L. Forsea & Sons, Inc., at Richland OR 97870; and one copy filed in the office of the Water Resources Director, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. Rules for filing objections will be furnished upon request.

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

Dated at Salem, Oregon this 10th day of April, 1980.

James E. Sexson
Director

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 #99 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, 1980, and ending with the issue dated the 30th day of April, 1980, and that the dates of publication were April 16, 1980-April 23, 1980-April 30, 1980

Tricia Bevers

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

Dale Ellis
Notary Public for Oregon.

My commission expires September 8, 1982

OK
SPR





STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: APRIL 1, 1980FROM: ** V. KENT SEARLESSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4441

IN THE NAME OF _____

RECEIVED

APR 3 1980

WATER RESOURCES DEPT.
SALEM, OREGON

In my opinion the proposed change in P.O.D. FROM KEY YOUNG DITCH TO NEWT 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 1960
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. ~~10~~

DEUSLEY TO LITTLE EAGLE 85.00

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

KAY YOUNG TO NEWT YOUNG
35.00 EACH

GEORGE HOLCOMB T-4444 ✓
DALE ELLIS
DAN L. FORSEA & SONS, INC. ~~43~~

DEUSLEY TO KAY YOUNG 47.50 EACH

DAN L. FORSEA & SONS, INC. T-4455
G. OPPERMAN ~~1156~~

NEWT YOUNG TO KAY YOUNG
35.00 EACH

JOHN RANDALL T-4444 ✓
HOLCOMB ESTATE
LAWRENCE IMMOOS ~~10~~

CHECKS ENCLOSED :

DAN L. FORSEA & SONS, INC. 231.25

JOHN RANDALL 98.75

DALE ELLIS 35.00

CHESTER RANDALL 35.00

L. IMMOOS 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

NEWT YOUNG TO TOBIN
47.50 EACH

CARL CARNAGEY T-4450 ✓
GILL WRIGHT ~~51~~

TOBIN TO NEWT YOUNG
35.00 EACH

JOHN WRIGHT } P-6
ELDON DEARDORFF
D. HUALL

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#	Cont filled	Cont expired
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
Garry Opperman	4639	✓	x
Dan L. Forster	4639	✓	x
John Randall	4748	✓	x
David Hvall	4728	✓	x
Dale Ellis	44244	✓	x
George Holcomb	4669	✓	x
Dan L. Forster	4660	✓	x
USNB	4744	✓	x
Hester Randall	4706	✓	x
Dan L. Forster	4706	✓	x
John Randall	4697	✓	x
Dan L. Forster	4639	✓	x
John W. Heston	4416	✓	x
J. W. Heston	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
24486 44243 Gover, Samuel, (estate) Gover, Mattie Gover, Carson Gover, Vina Gover, Woody New Bridge, Oregon. (Finding #30)	1888 1885 1879		10 114 71	Irrigation Irrigation Irrigation	Holstine Kay Young Gover	Eagle Creek	10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25 34 Acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26 22 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23 11 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 38 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26 T 9 S. R. 45 E. W. M.
4659 Gover, Walter A. Pine, Oregon. (Finding #30)	1881 1886		33 40	Irrigation Irrigation	Newt Young	Eagle	53 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 13 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 14 T 9 S. R. 45 E. W. M.
4660 Gover, Lovell, (Successor to W. L. Gover) Richland, Oregon. (Finding #30)	1885 1887		10 10 20	Irrigation Irrigation Irrigation	Moody Kay Young Newt Young	Eagle Creek	(1) 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ (2) 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 14 T 9 S. R. 45 E. W. M.
4661 Graven, Noah N. Richland, Oregon. (Finding #30)	1872		10.21	Irrigation	Simonis and Gover	Little Eagle Creek	10.21 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22 T 9 S. R. 45 E. W. M.
4662 Halley, J. P. Richland, Oregon (Finding #30)	1887		76	Irrigation	Kay Young	Eagle Creek	40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 36 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23 T 9 S. R. 45 E. W. M.
4663 Hartley, Amelia Richland, Oregon. (Finding #30)	1879		.2	Irrigation	Kay Young	Eagle Creek	Lot 10, Block 4, Richland, Oregon.
Hartley, Joseph Richland, Oregon. (Finding #30)	1868 1886		5 30	Irrigation Irrigation	Kirby Newt Young	Little Eagle Creek Eagle Creek	5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26 T 9 S. R. 45 E. W. M. 30 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19
Supervised by Art. No. 32891 * part trsf - sp. or Vol. 2, p. 400	1881		161	Irrigation	Kay Young	Eagle Creek	40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30 T 9 S. R. 46 E. W. M. 1 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23 T 9 S. R. 45 E. W. M. Lot 9, Block 4, Richland, Oregon.
4665 Harvill, Charles Richland, Oregon. (Finding #30)	1897 1901 1909		3.5 12 33	Irrigation Irrigation	Newt Young Howell	Eagle Creek Eagle Creek Eagle Creek	3.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30 1.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 7.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 16.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29 8.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30 T 9 S. R. 46 E. W. M.

POWDER RIVER -163-
(EAGLE CREEK)

473

Decree ... May 31, 1924
Decree ... Mar. 31, 1913
Recorded ... Vol. 13, p. 52
Recorded ... Vol. 7, p. 432
Recorded ... Vol. 7, p. 432

