



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

June 8, 2010

Laura Livingston
USDA Forest Service, Wallowa-Whitman NF
PO Box 907
Baker City, OR 97814

RE: Certified copies of
Certificate 80496
inal Proof Survey Map for transfer B-125
Folder Contents T-175, B-125

Laura,

Enclosed are the certified copies you requested. An invoice will be sent to Mr. Guttridge at the address you provided.

If you have any questions, please feel free to contact me at 503-986-0811.

Sincerely,

Gerry Clark
Water Right Specialist

Gerry Clark

From: Laura B Livingston [llivingston@fs.fed.us]
Sent: Thursday, June 03, 2010 11:42 AM
To: Gerry Clark
Cc: Alan J Guttridge
Subject: RE: Certified copies of files and certificate

Sound good. Please proceed. Please send documents to me at the address below. Authorized officer for payment is Alan Guttridge at same address.

Laura Livingston
Realty Specialist
Northeast Oregon Land Zone
(541) 523-1230
llivingston@fs.fed.us

Gerry Clark <clarkge@wrд.state.or.us>

To: Laura B Livingston <llivingston@fs.fed.us>

cc

06/03/2010 11:33 AM

Subject RE: Certified copies of files and certificate

Laura,

Here is a breakdown of the costs related to this project:

43 pages of copies	\$23.00
3 certifications	\$30.00
Total	\$53.00

If you would like us to proceed, please let me know. The Department can invoice you office for the necessary fees.

Gerry

Gerry Clark
Water Rights and Adjudications Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301
Phone: 503-986-0811
Fax: 503-986-0901

WRD Home Page: www.wrd.state.or.us

6/8/2010

From: Laura B Livingston [mailto:llivingston@fs.fed.us]
Sent: Thursday, June 03, 2010 11:21 AM
To: Gerry Clark
Subject: Certified copies of files and certificate

Per phone conversation on June 3, 2010, the USDA Forest Service, Wallowa-Whitman NF would like to request certified copies of the following documents:

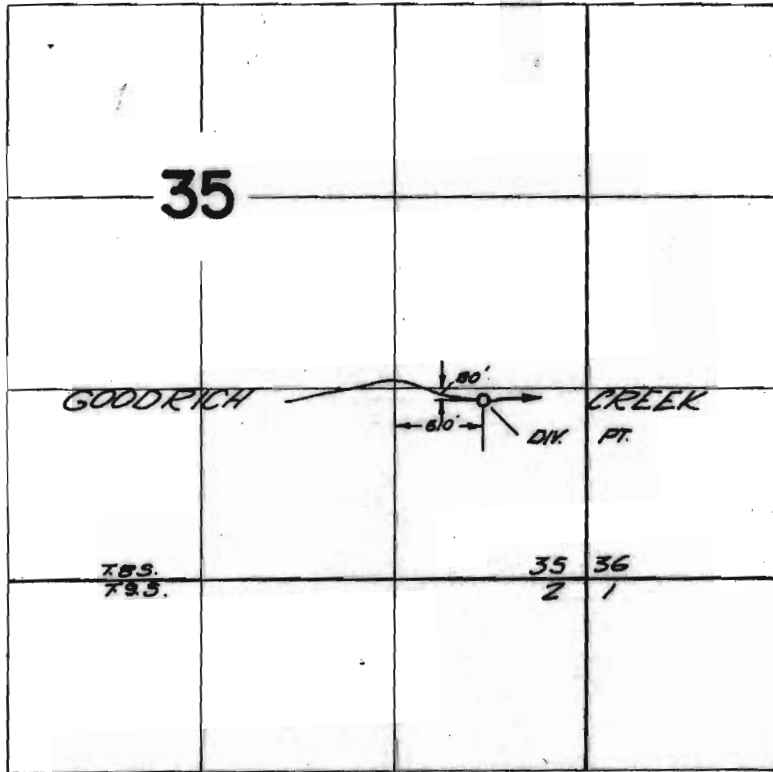
Water Right Certificate #80496 ✓

Map of Certificate #80496 (Final Proof Survey for transfer B-125) Goodrich Creek ✓

Folder Content T-175, B-125 for change in diversion point on Goodrich Creek, 43 pages ✓

Laura Livingston
Realty Specialist
Northeast Oregon Land Zone
P.O. Box 907
1550 Dewey Ave
Baker City, OR 97814
(541) 523-1230
llivingston@fs.fed.us

T.8S. R.38E. W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER B-125

Application No. Permit No.
IN NAME OF

CITY OF BAKER

Surveyed Oct. 25, 1967, by V. Gardner

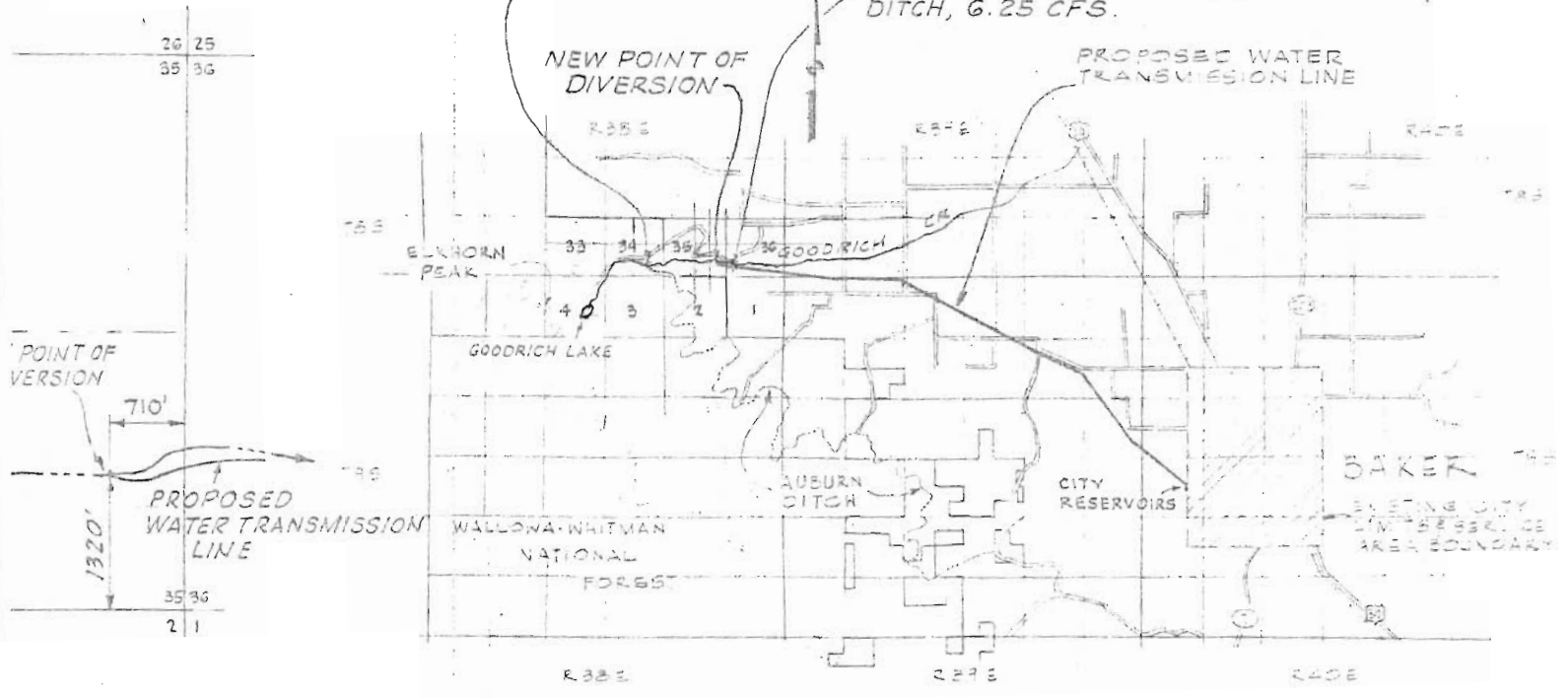
RECEIVED
 JUL 6 1961
 STATE ENGINEER
 SALEM, OREGON

EXISTING DIVERSION RIGHT,
 AUBURN DITCH, 5.0 CFS

EXISTING DIVERSION RIGHT,
 NELSON OR NEWTON & STURGILL
 DITCH, 6.25 CFS.

NEW POINT OF
 DIVERSION

PROPOSED WATER
 TRANSMISSION LINE

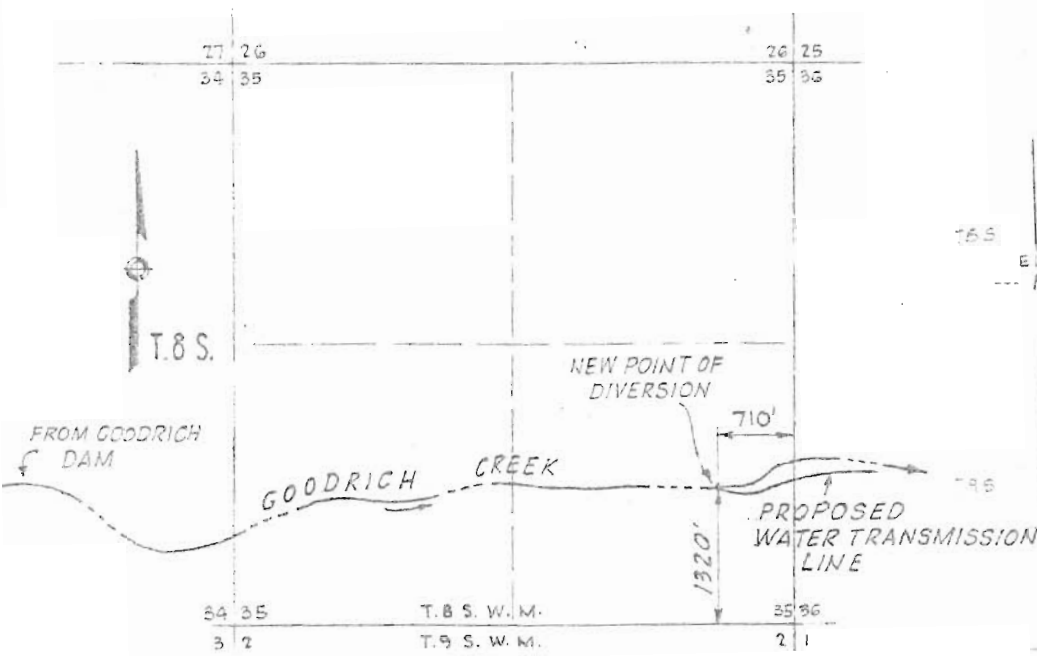


VICINITY MAP

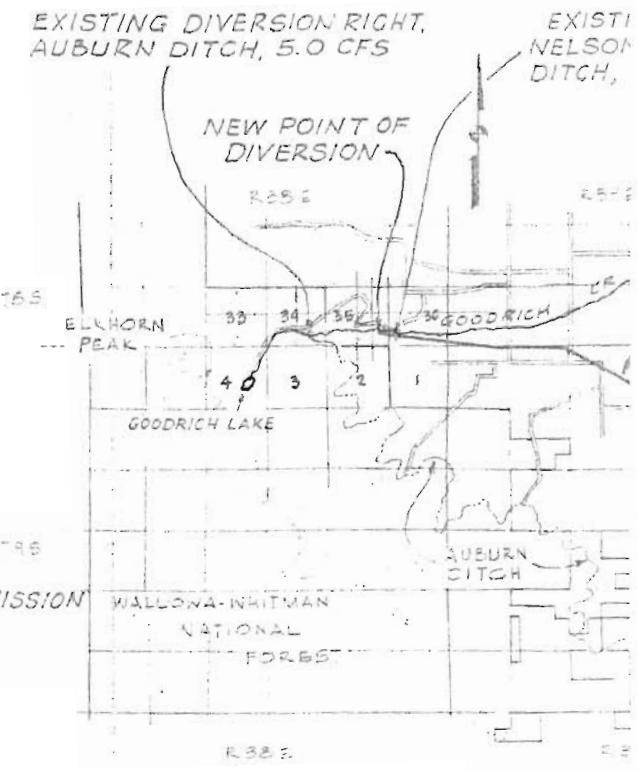


CITY OF BAKER, OREGON		
MAP TO ACCOMPANY APPLICATION FOR CHANGE IN POINT OF DIVERSION		
SCALE: AS SHOWN	JUNE 27, 1961	SHEET: 1 OF 1
PREPARED BY: CORNELL, HOWLAND, HAYES & MERRYFIELD CORVALLIS, OREGON	E2103-1 BOISE, IDAHO	

B-125



LOCATION MAP
 SCALE: 4" = 1 MILE



VICIN
 1" = 1 MILE

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

POD
POU
USE
Add'l POD

WSP
6-14-90 JLC

Transfer No. T-5665

County Baker

Old Certificate No. 9608

1. Name City of Baker *Jim Adkinson P.O. Public Works*

Address PO Box 650

Baker, OR 97814

2. Source of Water Marble Creek Trib of _____

3. Use Municipal

4. Amount of Water 5.0 cfs

5. Priority Date 1862

6. Proposed Point of Diversion 931.2 ft. South and 127.6 ft. East from the NW corner of NW $\frac{1}{4}$ being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, Township 9S, Range 38E W.M.

7. Completion Date Completed C Notice Received: Sp Orders

8. Place of Use: _____ Transfer Order: Vol 42, pg. 19

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made

7-3-90
DM

BEFORE THE WATER RESOURCES DEPARTMENT OF OREGON

IN THE MATTER OF TRANSFER APPLICATION)	
T-5665 IN THE NAME OF THE CITY OF)	STATEMENT, FINDINGS OF FACT
BAKER FOR APPROVAL OF A CHANGE IN)	CONCLUSIONS OF LAW, AND
POINT OF DIVERSION OF WATER)	FINAL ORDER

STATEMENT

On July 3, 1985, the City of Baker filed Water Right Transfer Application 5665 for approval of a change in point of diversion of water under a right described by the certificate issued to the City of Baker and recorded at Page 9608, Volume 9, State Record of Water Rights Certificates. The subject water right was allowed by decree of the court in the Matter of the Determination of the Relative Rights to the Waters of Powder River and its tributaries, a tributary of Snake River, and is for the appropriation of not to exceed 5.0 cubic feet per second of water (cfs) from Big Marble Creek under a date of priority of 1862 for municipal purposes within the City of Baker.

The old point of diversion is described as being located 972 feet South and 339.8 feet East from the Northwest Corner of Section 13, Township 9 South, Range 38 East, WM, being within the NW 1/4 NW 1/4 of said Section 13. The new point of diversion is described as being located 931.2 feet South and 127.6 feet East from the said Northwest Corner of Section 13, and is also within the NW 1/4 NW 1/4 of Section 13.

On October 30, 1985, the Pocahontas Farmers' Ditch Company filed a protest against approval of pending Transfer Application T-5665. In protest it is alleged that:

- a) the proposed application would conflict with Pocahontas Farmers' Ditch Company's prior vested rights;
- b) the City of Baker has been illegally using Marble Springs water and the City of Baker has no water rights for use of said spring;
- c) the change in point of diversion by the City of Baker would be detrimental to the public's interest;
- d) the City of Baker's original point of diversion is above Marble Springs and Marble Springs was never intended by the City of Baker to be used as a part of its water source, and Marble Springs very well may be an independent source of water.

Pursuant to the Director's Notice of Hearing the matter was brought to hearing in Baker, Oregon, on November 19, 1986. The matter was heard by James W. Carver, Jr., an employee of the Water Resources Department, authorized to preside in behalf of the Director as a finder of fact. The City of Baker was represented by Richard M. Glick, Attorney at Law, Portland, Oregon. The Pocahontas Farmers' Ditch Company was represented by John L. Jacobson, Attorney at Law, Baker, Oregon.

Marble Creek (Big Marble Creek) is one of several mountain streams that form on the east slope of the Elkhorn Mountains and flow generally easterly toward the Baker Valley floor to become tributary to the Powder River. The flow of Marble Creek varies widely with the season of the year. The higher flows occur with run-out of snow melt and periods of intense precipitation within the drainage area of the stream.

Figure 1 which is a photoreduction of Exhibit "Baker B", shows the relative locations of Marble Creek, the "old" and "new" Marble Springs intake works, Pipeline Road and Old Mountain Line and other features in the vicinity.

A proposed order was issued by the Water Resources Director on September 30, 1987, and was mailed to the parties by first class mail, on that date. The Pocahontas Farmers' Ditch Company, acting by and through their secretary, Mr. Chet Smith, advised the hearing officer via telephone that they had not received the proposed order. A duplicate mailing was made by Certified Mail, Return Receipt, on October 21, 1987. The letter of transmittal with the duplicate mailing allowed Pocahontas Farmers' Ditch Company until the close of the business day on Friday, November 20, 1987 to file any exceptions and objections to the proposed order. No exceptions or objections to the proposed order were filed within the time allowed, of subsequent thereto.

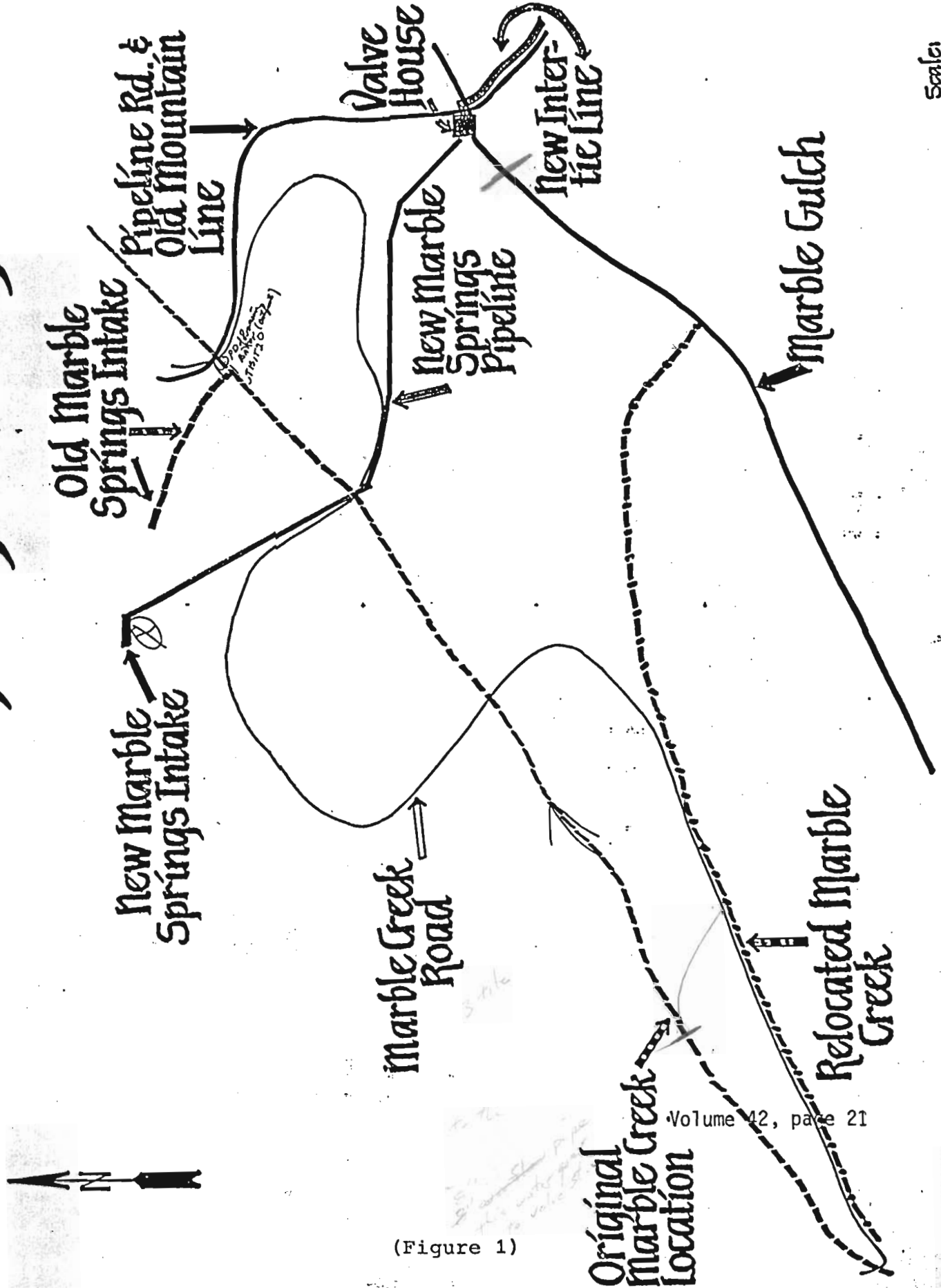
Now, therefore, acting pursuant to authority delegated to him from the Water Resources Commission, the Director makes the following:

FINDINGS OF FACT

Testimony and evidence established that the original diversion of water from Marble Creek under the subject right was from the channel of Marble Creek into the Auburn Canal. The Auburn Canal crossed the channel of Marble Creek in the immediate vicinity of where the "Pipeline Road and Old Mountain Line" intersects the "Original Marble Creek Location" channel as shown on Figure 1.

The old Marble Springs intake works were located in a shallow, steep draw which intersects with the original Marble Creek channel location above the original point of diversion from Marble Creek. (Exhibit "Baker G")

Marble Springs Vicinity



(Figure 1)

Volume 42, page 21

Scale:

1" = 40 ft.

Water 11

5/18/72

5/18/72

5/18/72

5/18/72

5/18/72

5/18/72

5/18/72

5/18/72

About the year of 1916 the City of Baker moved its point of diversion from the channel of Marble Creek to the "Old Marble Springs Intake." Water that was intercepted at the "Old Marble Springs Intake." is water that would have otherwise found its way to the point of diversion in the creek channel.

Prior to 1931, there was no statutory provision for making application for approval of a change in point of diversion. However, the Oregon Supreme Court held in Whited v. Calvin, 55 OR 98 (December 1909) at page 106, "A change in point of diversion. . . may be made when it can be done without prejudice to the rights of others." The record does not disclose any prejudice to the water right of others having resulted from the change made in or about 1916. Therefore, the lawfully established point of diversion for the subject water right is at the "Old Marble Springs Intake."

The intake works at "The Old Marble Spring Intake" consisted of a timbered tunnel into the rocky hillside and a small "spring house" at the outer end of the tunnel. A concrete cut-off wall served to collect the water and direct it to the spring house.

The Chemical Lime Company began quarrying operations in the area shown on Figure 1, about the year 1957. By about 1963 or 1964, the quarrying operations which included the blasting of rock caused fractures in the rock in the vicinity of the "Old Marble Springs Intake." Mr. Vernon Jacobson who was the Director of Public Works for the City of Baker at that time, testified that "the ground was fracturing and water was percolating (seeping to the surface of the ground) all the way around." The "Old Marble Springs Intake" works were no longer able to intercept the waters of Marble Springs.

With permission of the land owner, the City of Baker excavated upslope from the old spring collection works by means of a bulldozer and a backhoe, and followed the flow of water upstream (upslope) to where it was issuing from a cavern and split in the rock face of the quarry. A new concrete cut-off wall and perforated concrete pipe was installed to collect the water. The collected water is conveyed into a 36-inch diameter culvert pipe. The collection works, including the upslope end of the 36-inch culvert pipe, is covered with treated timbers and rock fill.

Water collected at the "New Marble Springs Intake" is piped into the City of Baker's pipeline system via the Valve house shown on Figure 1.

If the water which flows from the rock face at the "New Marble Springs Intake" location were not intercepted by the intake works, it would flow to the channel of Marble Creek (now buried under quarry waste) above the location of the original point of diversion from Marble Creek.

The record does not establish whether the City of Baker is obtaining more or less water by means of the "New Marble Springs Intake" as compared to the "Old Marble Springs Intake." Metered measurements made during the period of October 25, 1985 to May 7, 1986, show an average flow of 0.849 cfs. Measurements made during the period of May 7, 1986 to May 21, 1986, show an average flow of 3.38 cfs.

The City of Baker's subject water right authorized the City to divert up to 5.0 cfs from the natural flow in Marble Creek at the point where the Auburn Canal crossed the channel of Marble Creek, for municipal purposes within the City of Baker. Pursuant to the provisions of ORS 540.610(1) and (2), which statutory provisions were originally adopted by the 1913 Legislative Assembly, the subject right is not subject to forfeiture through nonuse.

Whether the water appropriated were to be diverted from the channel of Marble Creek at the location of the former Auburn Canal crossing, or whether it is diverted from waters tributary to Marble Creek above that point, the effect on downstream appropriators from diversion of a given quantity of water would be no different. Neither is there any change in effect on other private or public interests as a result of diverting the waters of Marble Springs at the "New Marble Springs Intake" as compared to diverting the water at the "Old Marble Springs Intake."

The point of diversion of water from Marble Creek under the existing water rights of the protestant, Pocahontas Farmers' Ditch Company, is some distance downstream from the location where the old Auburn Canal crossed the channel of Marble Creek.

ULTIMATE FINDINGS OF FACT

The standard for determining whether the proposed change in point of diversion from the "Old Marble Springs Intake" to the "New Marble Springs Intake" should or should not be approved is set out in ORS 540.530(1). Subsection(1) reads, in part, "If, after hearing or examination, the Water Resources Commission finds that the proposed change can be effected without injury to existing water rights, the commission shall make an order approving the transfer and fixing a time limit within which the approved changes may be completed."

The change in point of diversion from the "Old Marble Springs Intake" to the "New Marble Springs Intake" can be effected without injury to existing water rights including the water rights held by the protestant.

CONCLUSIONS OF LAW

Water Right Transfer Application 5665 in the name of the City of Baker for approval of a change in point of diversion of water appropriated under the right described herein above should be approved pursuant to the provisions of ORS 540.510 to 540.530.

FINAL ORDER

NOW, THEREFORE, it is ORDERED that Water Right Transfer Application 5665 in the name of the City of Baker be approved for change in point of diversion from the location of the "Old Marble Springs Intake" to the location of the "New Marble Springs Intake." The location of the said new point of diversion is described as being 931.2 feet South and 127.6 feet East from the Northwest Corner of Section 13, Township 9 South, Range 38 East, WM.

It is FURTHER ORDERED that because the requested change in point of diversion has been made in fact, no time need be allowed for completion of the change.

Dated at Salem, Oregon, this 19th day of January, 1988.

William H. Young

WILLIAM H. YOUNG
Director

NOTICE: You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review within 60 days from the service (date of mailing) of this order. Judicial review is pursuant to the provisions of ORS 536.075 and 183.482.

6-14-90

Talked: Jim Adamson
Dir. Public Works

Mr A. claims SeFs from Marble Creek springs. on S-8-90 ave. 2500
gpm but dot was overflowing.

Marble Creek Spring - They dug out the sidehill to hardrock, then put in
a cut off wall. They ~~had~~ laid 4 lines of perforated pipe then
back filled with gravel. These 4 lines run into a 36" pipe (collection)
They then have 16" x 8" coming out for approx 15' to springbox
(36" convert) where this 16" x 8" dump into it. They have a 12"
pipe to the valve house where the overflow is put into Marble
Creek.

125p

6-14-90

[Signature]

CHANGE IN POINT OF DIVERSION ONLY

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT

Transfer No. B-125

County Baker

1. Name City of Baker Address Baker, Oregon

2. Source of Supply Goodrich Creek, Trib. of _____

3. Amount of Water _____ Priority Date 1863-1868

4. Use irrigation municipal water supply within the corporate limits of City of Baker

5. Location of Point of Diversion 80 ft. S and 60 ft. E from the NE corner of

Sec. 35, and being within the SE 1/4, said Sec. 35, T. 8 S., R. 38 E., W. M.

16.	Township	Range	Section	Forty Acre Tract	No. Acres in Transfer	No. Acres Found Irrigated

7. If for power, mining, municipal, manufacturing or any other purpose than irrigation, give method and extent of such use: _____

INSPECTED - LOCATION SURVEYED 1967-F

CCT 25-67-16
LIN 32 2S 38 E

67
18
47

Div. PT description -

A concrete dam - 16^o long -
6^o high -
12" reinforced concrete construction
backs water 40 feet -

domestic intake pipe located in S headwall
2 - 14" valves located in dam to allow
drainage -

Location surveyed on 1967-F -
in conjunction with Pollock Survey
37849 -

Vestal R. Lamer
Oct 25, 1967
Field Eng -

8.

DESCRIPTION OF WORKS

CANAL: Width on top (at waterline) _____; Width on bottom _____; Depth of water _____; Grade _____ft. fall per 1,000 ft.; Actual capacity _____sec. ft.;

Give general description: _____

PUMP AND PIPE OR SPRINKLER SYSTEMS:

Pump: Make _____ Type _____ No. _____

Intake size _____ Discharge size _____ Suction head _____ Dis-
charge head _____ Rating: GPM _____ RPM _____ Pressure _____

Power Plant: Type _____ Make _____

H.P. Rating _____ RPM _____

Power Connection: Direct connected unit _____

If belt driven: Size of drive pulley _____ Driven pulley _____

Distribution System: Main line - Size _____ Length _____ Kind of Pipe _____

Lateral lines: Size _____ Length _____ Kind of Pipe _____

Sprinkler Heads: Make _____ Size of Nozzles _____

Number of heads used _____ Discharge capacity of each _____ GPM;

Operating pressure _____ lbs.

REMARKS: _____

Date

Inspector's Signature

October 9, 1963

Mr. Vernon Z. Jacobson
City Engineer
P.O. Box 671
Baker, Oregon

Dear Mr. Jacobson:

Re: Transfer No. B-125

I have your letter advising that construction work has been completed as required in our order approving your application for a change in point of diversion of water.

In line with the general practice of this office, a survey will be made at a later date to map the location of the new point of diversion.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Max F. Rogers, Deputy

gcc

"CENTER OF OREGON'S
ADVENTURELAND"

CITY OF **BAKER** OREGON

Office: City Hall
JA 3-4437

P. O. BOX 871
BAKER, OREGON, 97814

October 3, 1963

State Engineer
251 Finance Building
170 Twelfth Street S.E.
Salem, Oregon

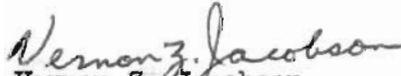
Attention Chris L. Wheeler.

Dear Sir:

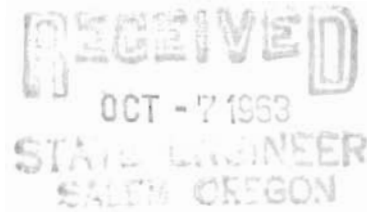
The Construction work on the diversion transfer No. B-125 has been completed, all construction has been completed under permit 5368 also the Dam and Reservoir.

I am sorry your office was not notified of the completion date.

Thanking you sincerely,


Vernon Z. Jacobson
City Engineer

VZJ:mw



January 17, 1962

Mr. Leland J. Wood
City Recorder
Baker, Oregon

Dear Mr. Wood:

Re: Transfer No. B-125

Enclosed is a certified copy of the order of the State Engineer, entered January 12, 1962, approving the application of the City of Baker for a change in point of diversion of water from Goodrich Creek.

Also enclosed is a notice of completion of construction which should be dated, signed and returned to this office when the change in point of diversion has been completed. According to the terms of the order, this should be done on or before October 1, 1963.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Max F. Rogers, Deputy

ks

Enclosures

cc: Cornell, Howland, Hayes & Merryfield

NOTICE

Of Filing Application for a Change in Point of Diversion of Water
Notice is given hereby that the City of Baker has filed an application for the approval of a change in point of diversion of water from Goodrich Creek.

In the Powder River adjudication proceedings, a water right was established in the name of the City of Baker for the use of 11.25 c.f.s. of the waters of Goodrich Creek for municipal water supply within the corporate limits of the City of Baker, of which 5.0 c.f.s. is diverted through the Auburn ditch with a date of priority of 1863 and 6.25 c.f.s. is diverted thru the Nelson or Newton & Sturgill ditch with a date of priority of 1868. The point of diversion of the Auburn ditch is within the E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34 and the point of diversion of the Nelson or Newton & Sturgill ditch is within the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, all in T. 8 S., R. 38 E., W. M.

The applicants herein, owners of the water above described, propose to change their point of diversion to a point to be located 1320 ft. N. and 710 ft. W. from the SE corner of Sec. 35, and being within the E $\frac{1}{2}$ SE $\frac{1}{4}$, said Sec. 35, T. 8 S., R. 38 E., W. M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Baker, Oregon, on October 31, 1961, at 9:30 a. m. All objections to the proposed change, if any there are, will be heard at said time and place. Any objections shall be prepared in writing, one copy to be served on City of Baker, Baker, Ore., and one copy filed with the State Engineer, Salem, Ore., together with a \$2 filing fee, at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the State Engineer without a hearing.

Dated at Salem, Oregon, this 31st day of August, 1961.
LEWIS A. STANLEY
State Engineer.

Sept. 5, 12, 19, 1961.

AFFIDAVIT OF PUBLICATION

Baker, Oregon, September 19, 1961

STATE OF OREGON, }
County of Baker } ss.

I, Lee C. Bollinger, being first duly sworn, depose and say that I am the publisher of the Baker Democrat-Herald which is a Daily (except Sunday) newspaper of general circulation, printed and 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 $\frac{3}{4}$ 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 notice of filing application for a change and has more than 200 bona fide subscribers within said county; that the notice of filing application for a change 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 weeks being published three times commencing with the issue dated the 5th day of September, 1961, and ending with the issue dated the 19th day of September, 1961, and that the dates of publication were September 5, 12, and 19, 1961.

Lee C. Bollinger

Subscribed and sworn to before me this 19th

day of September, 19 61

Thelma Matter
Notary Public for Oregon.

My commission expires June 7, 19 64



August 31, 1961

Mr. Thomas W. Maxwell
Watermaster, District No. 8
County Courthouse
Baker, Oregon

Dear Mr. Maxwell:

Re: Transfer No. B-125

Enclosed is a copy of notice being forwarded today for publication in the September 5, 12 and 19, 1961, issued of the Baker Democrat-Herald.

We shall appreciate having you advise if in your opinion the proposed change in point of diversion of water may be made without injury to existing rights.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Max F. Rogers, Deputy

ks

Enclosure

August 31, 1961

Baker Democrat-Herald
Baker
Oregon

Gentlemen:

Re: Transfer No. B-125

Enclosed is notice for publication in the September 5, 12 and 19, 1961, issues of the Baker Democrat-Herald.

Please advise if the notice will be published as requested. If for any reason you are unable to publish the notice on the dates specified above, please return it to this office.

After completion, please furnish this office with an affidavit of publication, and forward your statement covering the cost of this service, together with an affidavit of publication, to City of Baker, Baker, Oregon.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Max F. Rogers, Deputy

ks

Enclosure

cc: City of Baker
Cornell, Nowland, Hayes & Merryfield

August 17, 1961

Cornell, Howland, Hayes & Merryfield
Consulting Engineers
1600 Western Avenue
Corvallis, Oregon

Attention: Robert R. Adams

Gentlemen:

Re: Transfer No. B-125

This is in further reference to the application of the City of Baker for the approval of a change in point of diversion of water from Goodrich Creek.

Under Item 4 of the application, the point of diversion of the Auburn ditch is described as being within the E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$. Maps made in August, 1911 in connection with the Powder River adjudication proceedings show the point of diversion of the Auburn ditch as being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 8 South, Range 38 East, W. M. The Sumpter quadrangle made in 1914 shows the point of diversion of the Auburn ditch at substantially the same point as shown in our adjudication maps. It is possible that the City of Baker moved their diversion downstream to the point as indicated on the application and accompanying map, and it is equally possible that either the map accompanying the application or the adjudication map is in error. For your convenience in checking this matter, the application, map and Baker quadrangle are being returned herewith.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Max F. Rogers, Deputy

MFR:ks

Enclosures

CORNELL, HOWLAND, HAYES & MERRYFIELD

Consulting Engineers

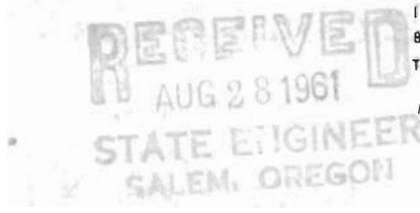
1600 WESTERN AVENUE CORVALLIS, OREGON TELEPHONE PLAZA 3-6638

August 25, 1961

SANITARY
HYDRAULIC
ELECTRICAL
STRUCTURAL
MECHANICAL
FOUNDATION

BOISE OFFICE:
IDAHO BUILDING
BOISE, IDAHO
TELEPHONE 4-8361

IN REPLY PLEASE REFER TO: B2108.22



State Engineer
251 Finance Building
170 Twelfth Street, S. E.
Salem, Oregon

Attention: Max F. Rogers, Deputy

Dear Sir:

Your Record, Transfer No. B125

As indicated to you today by telephone, we have checked the location of the Auburn ditch diversion in Section 34, T 8 S, R 38 E; and, according to the aerial photographs which we have, and have checked in the field, we believe that our designated diversion point on the Application for Change in Point of Diversion is correct. It appears that the Sumpter quadrangle sheet is incorrect in that the Auburn ditch diversion actually falls about 2,800 feet east, or downstream, from the small stream in the draw toward the northwest in Section 34.

It therefore appears that your penciled-in figures in Item 4 of the application are probably incorrect for (a). We are returning herewith the planimetric map, **the** application, and the map to accompany the application.

Very truly yours,

CORNELL, HOWLAND, HAYES & MERRYFIELD

Robert R. Adams
Partner

RRA/ms
Enclosures

cc: City Manager
Baker, Oregon

THE CITY OF BAKER

"The Friendly City on the Old Oregon Trail"

BAKER, OREGON

August 7, 1961

State of Oregon, State Engineer
Water Resources Department
251 Finance Building
170 Twelfth Street, S. E.
Salem, Oregon



Attention: Max F. Rogers, Deputy

Dear Sir:

Re: Transfer No. B-125

Thank you for your letter of July 21, 1961 calling attention to the date of priority as listed in Item 7 (a).

This has now been corrected to read 1863, and the corrected application is hereby returned.

Very truly yours,

A handwritten signature in cursive script that reads "Leland J. Wood".

Leland J. Wood
City Recorder

LJW:pj
enc

July 21, 1961

Mr. Leland J. Wood
City Recorder
City of Baker
Baker, Oregon

Dear Mr. Wood:

Re: Transfer No. B-125

Thank you for your letter of July 19, authorizing this office to mail notice direct to the Baker Democrat-Herald in connection with your application for a change in point of diversion of water from Goodrich Creek.

The application is being returned for amendment of Item 7 (a). The date of priority of the City of Baker's right through the Auburn Canal is 1863 instead of 1862. I respectfully refer you to paragraph 83 of the Decree of the Circuit Court entered March 18, 1918, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Powder River and its Tributaries, part of said paragraph reading as follows:

"**** That the City of Baker has succeeded to the rights of plaintiff, David McClure, Jr., and the said Perry Baisley Estate, J. H. Baisley, Hattie Baisley, and S. E. Baisley have succeeded to the interests of Moses Carpenter, defendant, and it appearing by said decree that the said Auburn Canal was constructed in the year 1863, the rights to the use of water through the Auburn Canal by said City of Baker shall be of the date of priority of 1863. ****"

I assume from reading paragraph 15, contest No. 5, that one might construe that the date of priority of the Auburn Canal is 1862, but only by inference; whereas, paragraph 83 is quite definite.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Max F. Rogers, Deputy

MFR:ks

THE CITY OF BAKER

"The Friendly City on the Old Oregon Trail"

BAKER, OREGON

July 19, 1961

State of Oregon, State Engineer
Water Resources Department
Salem, Oregon

Attention: Max F. Rogers, Deputy

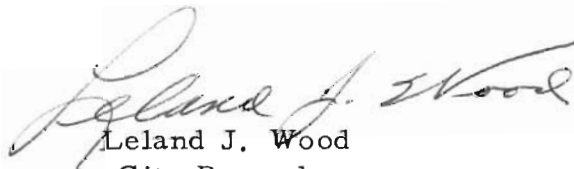
Dear Sir:

RECEIVED
JUL 20 1961
STATE ENGINEER
SALEM, OREGON

Thank you for your letter of July 17th, 1961, informing us that since the change in the point of diversion of water from Goodrich Creek will be more than 1/4 mile from the present point, it will be necessary to give notice by publication in a newspaper of general circulation in Baker County for a period of not less than three weeks, once a week.

Please consider this letter your authorization to mail the notice direct to The Baker Democrat-Herald, Baker, Oregon, and advise them to bill The City of Baker direct.

Very truly yours,


Leland J. Wood
City Recorder

July 17, 1961

City of Baker
City Hall
Baker, Oregon

Gentlemen:

Re: Transfer No. B-125

We are in receipt from Cornell, Howland, Hayes and Merryfield application on behalf of the City of Baker for the approval of a change in point of diversion of water from Goodrich Creek, map showing the location of the present and proposed points of diversion and check in the amount of \$15, for which our receipt No. 30452 is enclosed.

From an examination of the application and map, it appears that the distance between the present and proposed points of diversion is more than $\frac{1}{4}$ mile. It will, therefore, be necessary to give notice by publication in a newspaper printed and having general circulation in Baker County for a period of at least three weeks and not less than one publication each week, the cost to be paid by the applicant. You may submit a deposit of \$25.00 for this purpose, or if you prefer, authorize us to mail the notice direct to the newspaper in Baker with instructions to bill you direct. In this connection, kindly advise in which newspaper you desire the notice published.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Max F. Rogers, Deputy

MFR:ks

cc: Cornell, Howland, Hayes & Merryfield

CORNELL, HOWLAND, HAYES & MERRYFIELD

Consulting Engineers

1600 WESTERN AVENUE CORVALLIS, OREGON TELEPHONE PLaza 3-6638

SANITARY
STRUCTURAL
HYDRAULIC
ELECTRICAL
MECHANICAL
FOUNDATION

TO State Engineer
251 Finance Bldg.
170 12th St. S.E.
Salem, Oregon

DATE July 3, 1961
RE: City of Baker, Oregon

OUR PROJECT NO. B2108.22

WE ARE SENDING HEREWITH UNDER SEPARATE COVER

THE FOLLOWING:

- PRINTS TRACINGS SPECIFICATIONS DOCUMENTS
 SHOP DRAWINGS CATALOGS LETTERS

RECEIVED
JUL 6 1961
STATE ENGINEER
SALEM, OREGON

NO. OF COPIES	ITEM	DATED	REMARKS
1	Application for Transfer of Water Right	June 28	
1	Map to Accompany Application	June 27	# E2108-11
1	Check (City of Baker) to cover Examination & Recording Fees \$15.00	June 29	# 1627

IF MATERIAL RECEIVED IS NOT AS LISTED ABOVE. KINDLY NOTIFY US AT ONCE

TRANSMITTED BY:

- FIRST CLASS MAIL
 REGISTERED MAIL
 AIR MAIL
 AIR EXPRESS
 RAILWAY EXPRESS
 STAGE
 MESSENGER

CORNELL, HOWLAND, HAYES & MERRYFIELD

BY Robert R. Adams

NOTICE OF FILING APPLICATION FOR A CHANGE
IN POINT OF DIVERSION OF WATER

Notice is given hereby that the City of Baker has filed an application for the approval of a change in point of diversion of water from Goodrich Creek.

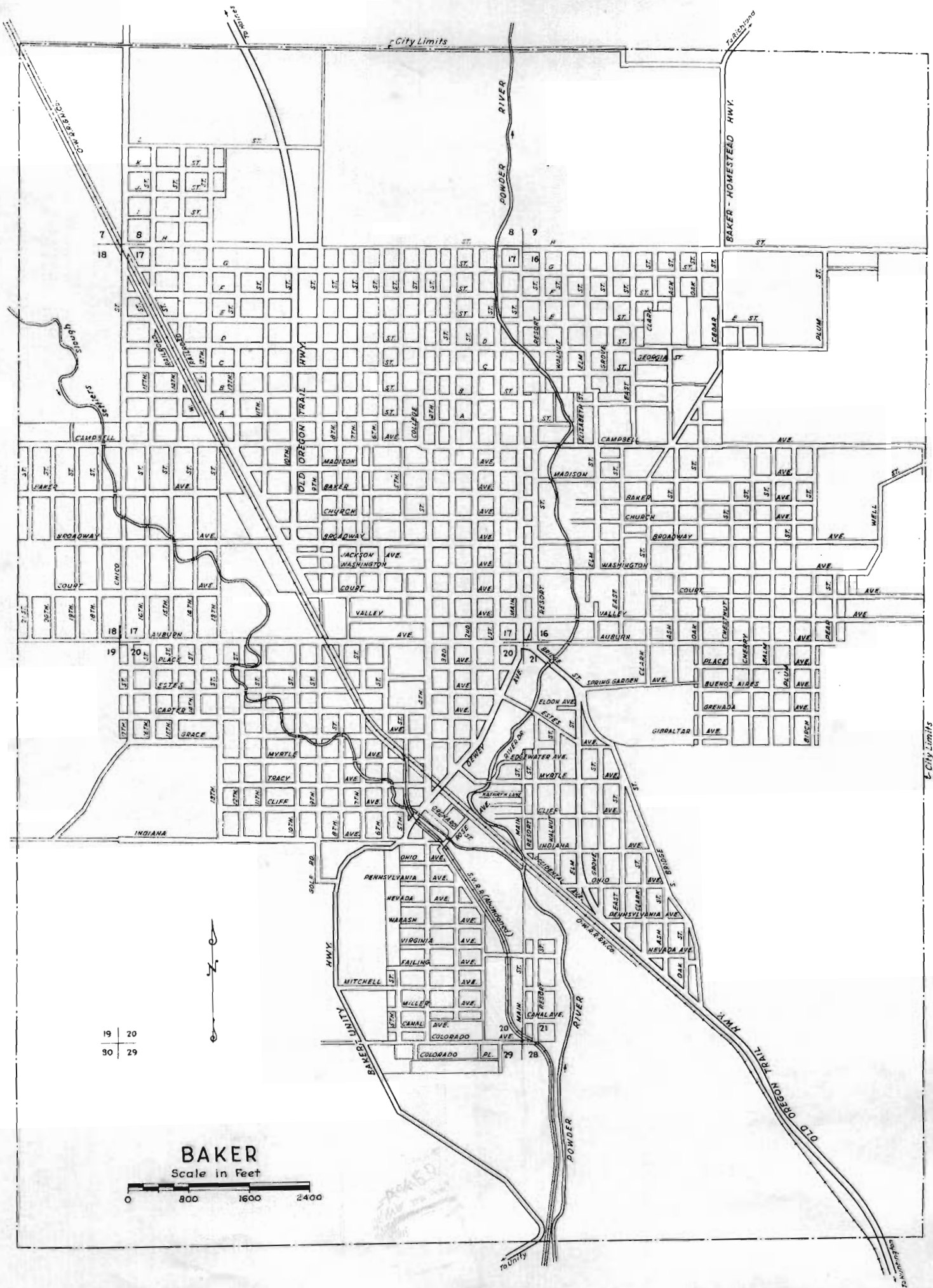
In the Powder River adjudication proceedings, a water right was established in the name of the City of Baker for the use of 11.25 c.f.s. of the waters of Goodrich Creek for municipal water supply within the corporate limits of the City of Baker, of which 5.0 c.f.s. is diverted through the Auburn ditch with a date of priority of 1863 and 6.25 c.f.s. is diverted thru the Nelson or Newton & Sturgill ditch with a date of priority of 1868. The point of diversion of the Auburn ditch is within the E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34 and the point of diversion of the Nelson or Newton & Sturgill ditch is within the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, all in T. 8 S., R. 38 E., W.M.

The applicants herein, owners of the water right above described, propose to change their point of diversion to a point to be located 1320 ft. N. and 710 ft. W. from the SE corner of Sec. 35, and being within the E $\frac{1}{2}$ SE $\frac{1}{4}$, said Sec. 35, T. 8 S., R. 38 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Baker, Oregon, on October 31, 1961, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any objections shall be prepared in writing, one copy to be served on City of Baker, Baker, Ore., and one copy filed with the State Engineer, Salem, Ore., together with a \$2 filing fee, at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the State Engineer without a hearing.

Dated at Salem, Oregon, this 31st day of August, 1961.

LEWIS A. STANLEY, State Engineer



19 | 20
30 | 29



BAKER
Scale in Feet



City Limits

TO UNITY

RECEIVED AUG 28 1961
RECEIVED JUL 6 1961
 STATE ENGINEER SALEM, OREGON
 STATE ENGINEER SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, City of Baker (Name of applicant)

of City Hall, Baker (Postoffice), County of Baker

State of Oregon, do hereby make application for change

in point of diversion
(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Goodrich Creek (Name of stream)

2. The use to which the water is applied is municipal water supply
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is (a) Auburn Ditch (1863)
 (b) Nelson or Newton & Sturgill Ditch (1868)

4. The point of diversion is located (a) N 580 ft. and (b) E 920 ft. from the SW W 1/4
(N. or S.) (E. or W.)

corner of Sec. 34 Sec. 36 being within the (a) E 1/2 SW 1/4 SE 1/4
(Section or subdivision)

of Section (a) 34 (a) 8S (a) 38 E (b) 36 (b) 8S R. (b) 38 E W. M., in the County of Baker
(No. N. or S.) (No. E. or W.)

5. Give the number of acres irrigated in each smallest legal subdivision (40-acre tract). Only show the acreage which is being transferred. If the water is used for power, mining or other use, show place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
9S	40E	7													40			40
		18	40			40									40			40
		19	40			40									40			40
		30	40			40												

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

All of Sec. 16, 17, 20, 21; S 1/2 of Sec. 8 and 9; N 1/2 of Sec. 28 and 29

(Attach separate sheet if necessary)

within the corporate limits of the City of Baker (See Findings # 96)

(a) Goodrich Creek 5.00 acs ✓
 (b) do 6.25 " ✓

6. Are you the legal owner of the above described lands? all within City limits
(If not owner, explain your interest)

9. Do you hold a water right certificate? No If so, give number of certificate
(Yes or No)

10. Was your water right determined by State Engineer's order of Determination or Decree of Court?

Yes If so, give title of proceedings Powder River Decree, March 18, 1918
(Yes or No)

11. Is the water right recorded in your name? Yes
(If not, give name)

12. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$

(Attach separate sheet if necessary)

NOTE: Do not answer questions 13, 14, 15 and 16, if the application is not for change in point of diversion.

13. The proposed point of diversion is located 1320 ft. N and 710 ft. W from the SE corner of 35 being within the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 35 Tp. 8S R. 38E W. M., in the county of Baker. The name of the ditch to be used is water transmission line
(N. or S.) (E. or W.) (Smallest legal subdivision) (No. N. or S.) (No. E. or W.)

14. Are you the owner of the land on which the proposed point of diversion is to be located? will purchase

15. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line. City is acquiring property at diversion, road easement to diversion, and pipeline easements from diversion to City reservoir site west of the City

16. Are there any diversions between your present point of diversion and the proposed point of diversion? (a) yes (b) no

NOTE: Do not answer questions 17 and 18 if application is for change in point of diversion only.

17. 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)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

9. Do you hold a water right certificate? No..... If so, give number of certificate
(Yes or No)

10. Was your water right determined by State Engineer's order of Determination or Decree of Court?

Yes..... If so, give title of proceedings Powder River Decree, March 18, 1918.....
(Yes or No)

11. Is the water right recorded in your name? Yes.....
(If not, give name)

12. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼

(Attach separate sheet if necessary)

NOTE: Do not answer questions 13, 14, 15 and 16, if the application is not for change in point of diversion.

13. The proposed point of diversion is located 1320 ft. N and 710 ft. W from the SE corner of 35 being within the E 1/2 SE 1/4 of Section 35 Tp. 8S R. 38E W. M., in the county of Baker. The name of the ditch to be used is water transmission line
(N. or S.) (E. or W.) (Smallest legal subdivision) (No. N. or S.) (No. E. or W.)

14. Are you the owner of the land on which the proposed point of diversion is to be located? will purchase

15. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

City is acquiring property at diversion, road easement to diversion, and pipeline easements from diversion to City reservoir site west of the City

16. Are there any diversions between your present point of diversion and the proposed point of diversion?
 (a) yes
 (b) no

NOTE: Do not answer questions 17 and 18 if application is for change in point of diversion only.

17. 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)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

9. Do you hold a water right certificate? No If so, give number of certificate
(Yes or No)

10. Was your water right determined by State Engineer's order of Determination or Decree of Court?

Yes If so, give title of proceedings Powder River Decree, March 18, 1918
(Yes or No)

11. Is the water right recorded in your name? Yes
(If not, give name)

12. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$

(Attach separate sheet if necessary)

NOTE: Do not answer questions 13, 14, 15 and 16, if the application is not for change in point of diversion.

13. The proposed point of diversion is located 1320 ft. N and 710 ft. W from the SE corner of 35 being within the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 35 Tp. 8S R. 38E W. M.,
(Smallest legal subdivision) (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 water transmission line

14. Are you the owner of the land on which the proposed point of diversion is to be located? will purchase

15. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.
City is acquiring property at diversion, road easement to diversion, and pipeline easements from diversion to City reservoir site west of the City

16. Are there any diversions between your present point of diversion and the proposed point of diversion?
 (a) yes
 (b) no

NOTE: Do not answer questions 17 and 18 if application is for change in point of diversion only.

17. 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)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

19. Reasons for the proposed changes are to transfer point of diversion to new intake structure for water transmission line to City of Baker reservoirs

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Baker

} ss.

I, City of Baker, 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 28 day of June, 1961
City of Baker, Oregon

Fred J. Young
by Fred J. Young (Name of applicant) City Manager

Subscribed and sworn to before me this 28 day of June, 1961

[Notarial Seal]

Belene J. Wood
NOTARY PUBLIC FOR OREGON

My commission expires My Commission Expires Oct. 29, 1962

Remarks

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.....

This application must be accompanied by a map showing the location of the point of diversion, place of use and works utilized under the present water right. The map should also show the new point of diversion or place of use, as the case may be.

Application for Transfer of Water Right

Name of applicant

Date filed

Date returned for further data

Date application completed

Date notice published

Date of hearing

Place of hearing

Date of final order
of State Engineer

Date of issuance of certificate
confirming change

Recorded in State Record of Water Right Certificates,
volume, page

Fees paid

Receipt No.

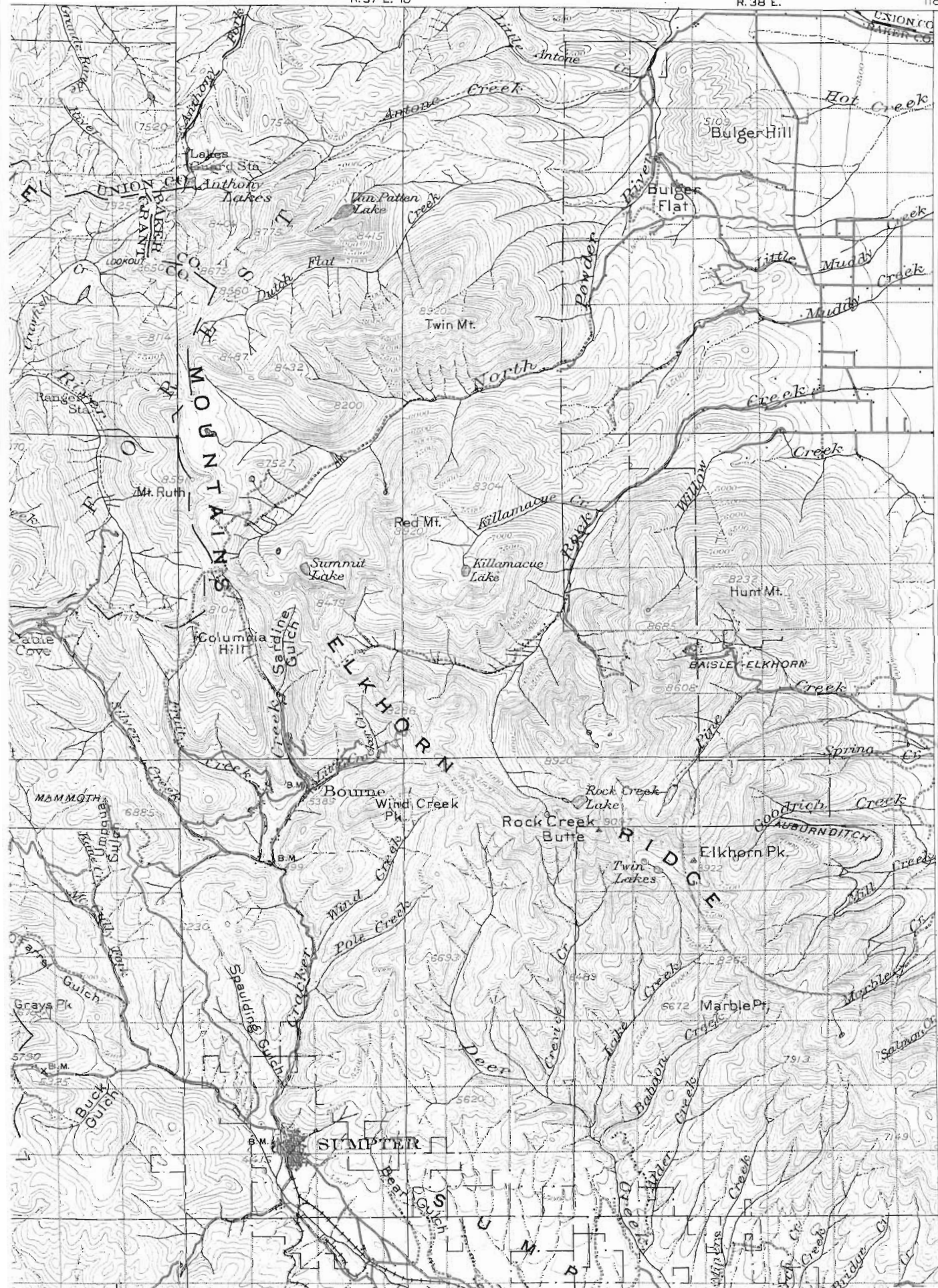
OREGON
SUMPTER QUADRANGLE

R. 37 E. 10'

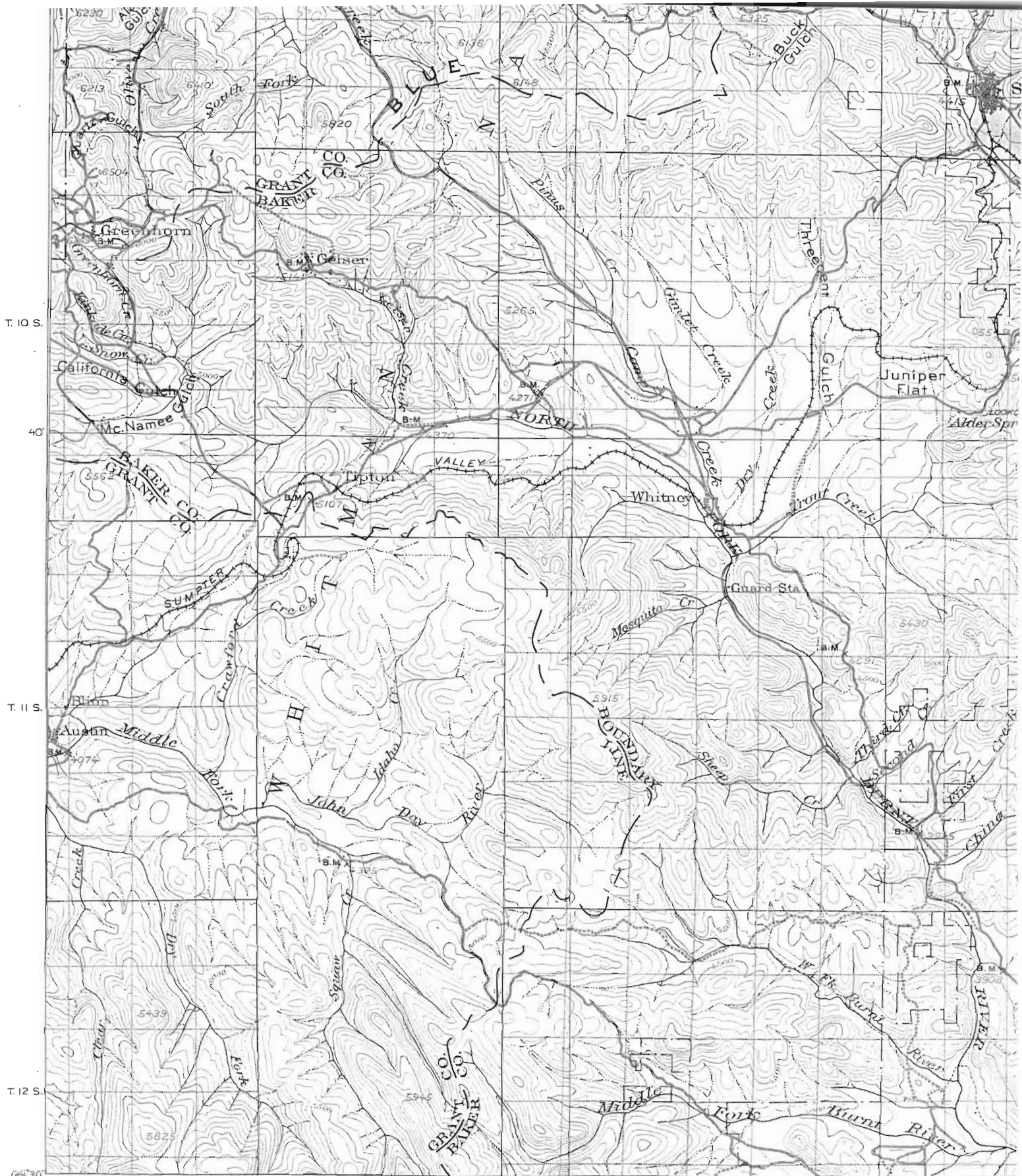
R. 38 E.

1800
4500
T. 6 S.

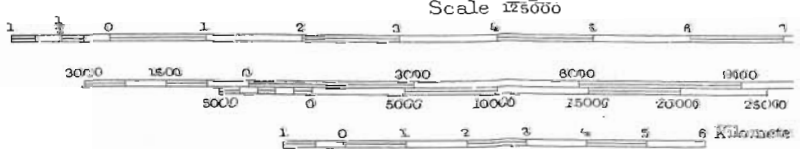
(Telocaset)



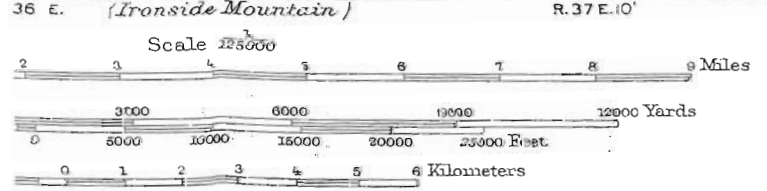
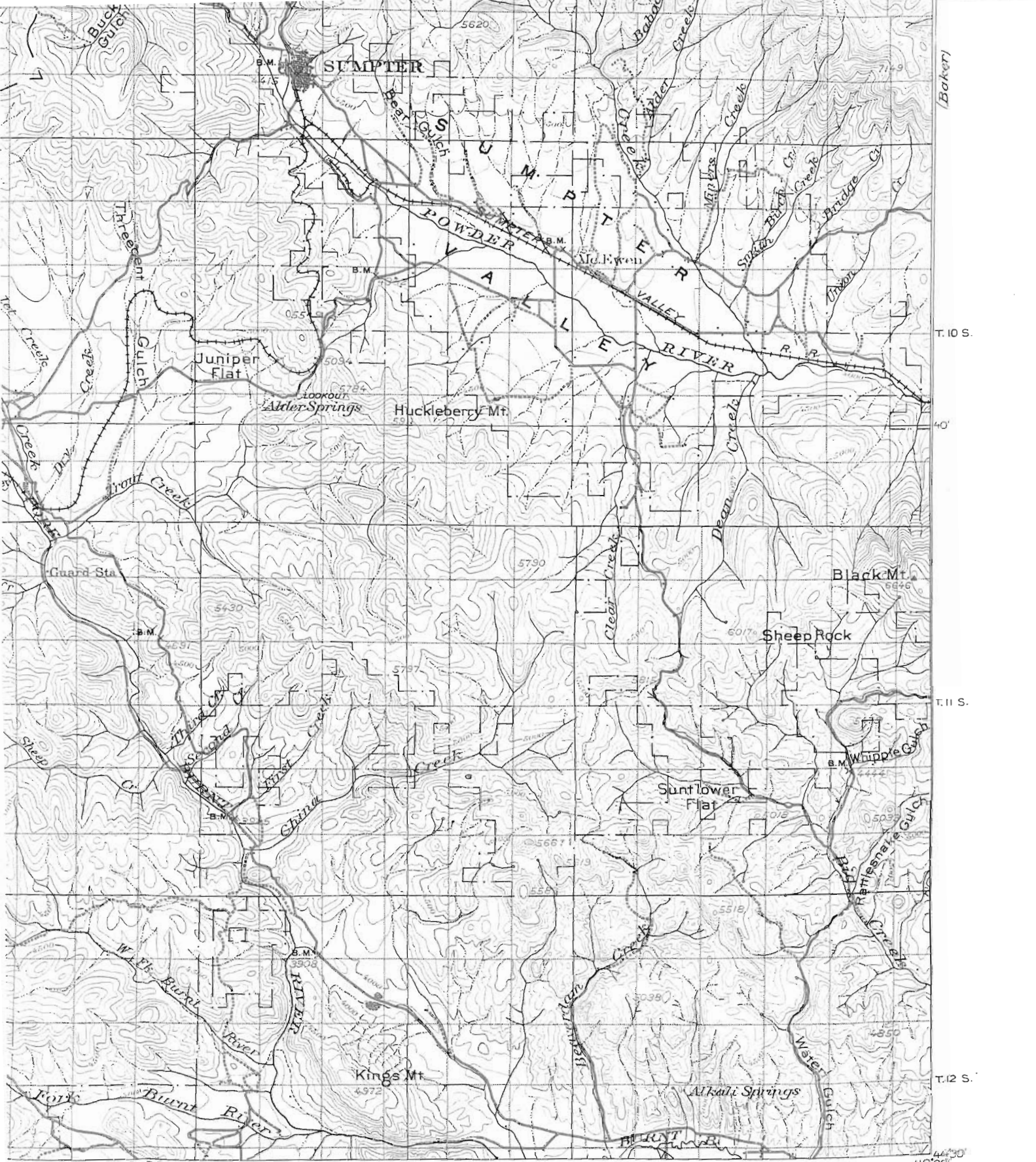
(Baker)



44° 30' 15" 30' R. 35 E. R. 35 1/2 E. 20' R. 36 E. (Ironside Mountain)
 R. U. Goods, Geographer in charge.
 Triangulation by S.S. Gannett.
 Topography by L.C. Fletcher, R. H. Mc Kee, and J.E. Rockhold.
 Surveyed in 1899-1900
 Revised in part, 1914.



Scale 1:25000
 Contour interval 100 feet
 Datum is mean sea level
 (Readjustment indicates that elevations on this map should be increased 8 feet)



Contour interval 100 feet

Datum is mean sea level

(Readjustment indicates that elevations on this map should be increased 3 feet)

Edition of Nov. 1901, reprinted 1948
 Polyconic projection. To place on North American datum move projection lines 600 feet west

SUMPTER, OREG
 N4430-W11600/30

THE TOPOGRAPHIC MAPS OF THE

The United States Geological Survey is making a series of standard topographic maps to cover the United States. This work has been in progress since 1882, and the published maps cover more than 47 percent of the country, exclusive of outlying possessions.

The maps are published on sheets that measure about $16\frac{1}{2}$ by 20 inches. Under the general plan adopted the country is divided into quadrangles bounded by parallels of latitude and meridians of longitude. These quadrangles are mapped on different scales, the scale selected for each map being that which is best adapted to general use in the development of the country, and consequently, though the standard maps are of nearly uniform size, the areas that they represent are of different sizes. On the lower margin of each map are printed graphic scales showing distances in feet, meters, miles, and kilometers. In addition, the scale of the map is shown by a fraction expressing a fixed ratio between linear measurements on the map and corresponding distances on the ground. For example, the scale $\frac{1}{62,500}$ means that 1 unit on the map (such as 1 inch, 1 foot, or 1 meter) represents 62,500 of the same units on the earth's surface.

Although some areas are surveyed and some maps are compiled and published on special scales for special purposes, the standard topographic surveys and the resulting maps have for many years been of three types, differentiated as follows:

1. Surveys of areas in which there are problems of great public importance—relating, for example, to mineral development, irrigation, or reclamation of swamp areas—are made with sufficient detail to be used in the publication of maps on a scale of $\frac{1}{31,250}$ (1 inch = one-half mile) or $\frac{1}{25,000}$ (1 inch = 2,000 feet), with a contour interval of 1 to 100 feet, according to the relief of the particular area mapped.

2. Surveys of areas in which there are problems of average public importance, such as most of the basin of the Mississippi and its tributaries, are made with sufficient detail to be used in the publication of maps on a scale of $\frac{1}{62,500}$ (1 inch = nearly 1 mile), with a contour interval of 10 to 100 feet.

3. Surveys of areas in which the problems are of minor public importance, such as much of the mountain or desert region of Arizona or New Mexico, and the high mountain area of the northwest, are made with sufficient detail to be used in the publication of maps on a scale of $\frac{1}{125,000}$ (1 inch = nearly 2 miles) or $\frac{1}{100,000}$ (1 inch = nearly 4 miles), with a contour interval of 20 to 250 feet.

The aerial camera is now being used in mapping. From the information recorded on the photographs, planimetric maps, which show only drainage and culture, have been made for some areas in the United States. By the use of stereoscopic plotting apparatus, aerial photographs are utilized also in the making of the regular topographic maps, which show relief as well as drainage and culture.

A topographic survey of Alaska has been in progress since

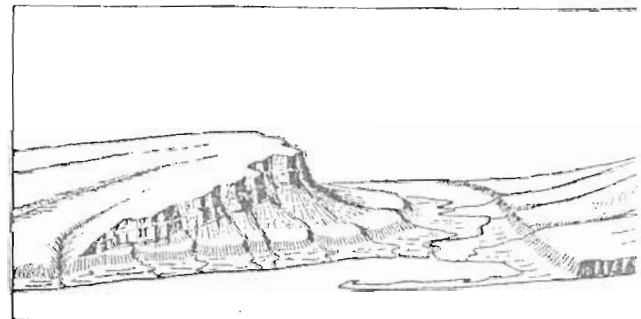
A survey of Puerto Rico is now in progress. The published maps are on a scale of $\frac{1}{50,000}$.

The features shown on topographic maps may be grouped into three groups—(1) water, including seas, lakes, swamps, and other bodies of water; (2) relief, including mountains, hills, valleys, and other features of the land; (3) culture (works of man), such as towns, cities, roads, and boundaries. The symbols used to represent these features are shown and explained below. Various features are shown on some earlier maps, and additional features are shown on some special maps.

All the water features are represented in blue. Streams and canals are shown by single blue lines and the larger streams and canals by double lines. The larger streams, lakes, and reservoirs are accentuated by blue water lining or blue tint. Dry streams—those whose beds are dry for a large part of the year—are shown by lines of blue dots and dashes.

Relief is shown by contour lines in brown. On some maps are supplemented by shading showing the direction of the slope, thrown from the northwest across the area represented. The purpose of giving the appearance of relief and the interpretation of the contour lines. A contour line represents an imaginary line on the ground (a contour) of which is at the same altitude above sea level. A contour could be drawn at any altitude, but in practice contours are drawn at certain regular intervals of altitude above datum or zero of altitude of the Geological Survey, which is mean sea level. The 20-foot contour would be the first contour above sea level. The 20-foot contour should rise 20 feet above mean sea level. Contour lines show the shape of the hills, mountains, and valleys, and their altitude. Successive contour lines that are close together on the map indicate a gentle slope, lines that are far apart indicate a steep slope, and lines that run together indicate a cliff.

The manner in which contour lines express relief and grade is shown in the figure below.



TOPOGRAPHIC MAPS OF THE UNITED STATES

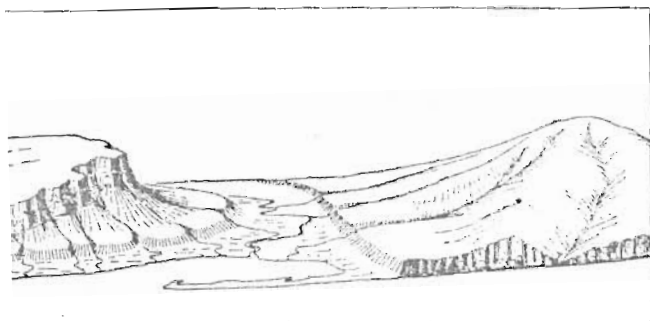
of Puerto Rico is now in progress. The scale of the maps is $\frac{1}{250,000}$.

Features shown on topographic maps may be arranged in the following order:—(1) water, including seas, lakes, rivers, canals, and other bodies of water; (2) relief, including hills, valleys, and other features of the land surface; (3) works of man, such as towns, cities, roads, railroads, and boundaries. The symbols used to represent these features are shown and explained below. Variations appear on maps, and additional features are represented on maps.

Water features are represented in blue, the smaller canals by single blue lines and the larger streams by double blue lines. The larger streams, lakes, and the sea are represented by blue water lining or blue tint. Intermittent streams whose beds are dry for a large part of the year are represented by lines of blue dots and dashes.

Relief is shown by contour lines in brown, which on a few maps are supplemented by shading showing the effect of light from the northwest across the area represented, for the purpose of giving the appearance of relief and thus aiding in the interpretation of the contour lines. A contour line represents an imaginary line on the ground (a contour) every part of which is at the same altitude above sea level. Such a line is shown at any altitude, but in practice only the contours in regular intervals of altitude are shown. The contour interval of the Geological Survey maps is meanly 20 feet. The 20-foot contour would be the shore line if the sea were 20 feet above mean sea level. Contour lines represent the shape of the hills, mountains, and valleys, as well as the direction of the slope.

Successive contour lines that are far apart on a gentle slope, lines that are close together on a steep slope, and lines that run together indicate a sharp slope. The contour lines express altitude, form, and direction of the slope, as shown in the figure below.



ing spurs separated by ravines. The spurs are truncated at their lower ends by a sea cliff. The hill at the left terminates abruptly at the valley in a steep scarp, from which it slopes gradually away and forms an inclined tableland that is traversed by a few shallow gullies. On the map each of these features is represented, directly beneath its position in the sketch, by contour lines.

The contour interval, or the vertical distance in feet between one contour and the next, is stated at the bottom of each map. This interval differs according to the topography of the area mapped: in a flat country it may be as small as 1 foot; in a mountainous region it may be as great as 250 feet. In order that the contours may be read more easily certain contour lines, every fourth or fifth, are made heavier than the others and are accompanied by figures showing altitude. The heights of many points—such as road intersections, summits, surfaces of lakes, and benchmarks—are also given on the map in figures, which show altitudes to the nearest foot only. More precise figures for the altitudes of benchmarks are given in the Geological Survey's bulletins on spirit leveling. The geodetic coordinates of triangulation and transit-traverse stations are also published in bulletins.

Lettering and the works of man are shown in black. Boundaries, such as those of a State, county, city, land grant, township, or reservation, are shown by continuous or broken lines of different kinds and weights. Public roads suitable for motor travel the greater part of the year are shown by solid double lines; poor public roads and private roads by dashed double lines; trails by dashed single lines. Additional public road classification if available is shown by red overprint.

Each quadrangle is designated by the name of a city, town, or prominent natural feature within it, and on the margins of the map are printed the names of adjoining quadrangles of which maps have been published. More than 4,100 quadrangles in the United States have been surveyed, and maps of them similar to the one on the other side of this sheet have been published.

Geologic maps of some of the areas shown on the topographic maps have been published in the form of folios. Each folio includes maps showing the topography, geology, underground structure, and mineral deposits of the area mapped, and several pages of descriptive text. The text explains the maps and describes the topographic and geologic features of the country and its mineral products. Two hundred twenty-five folios have been published.

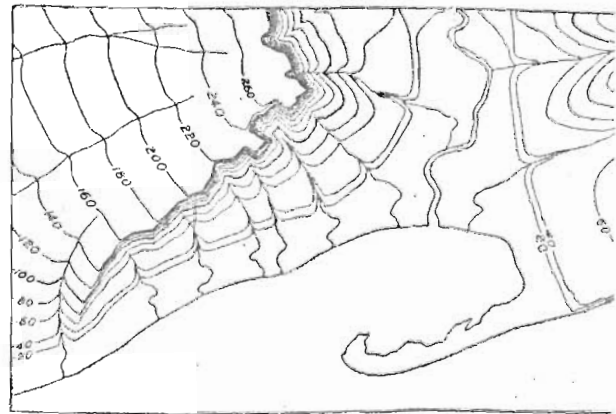
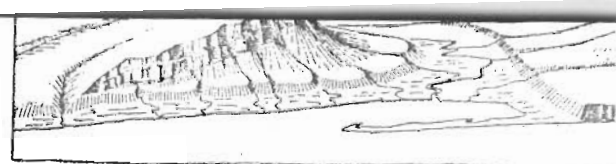
Index maps of each State and of Alaska and Hawaii showing the areas covered by topographic maps and geologic folios published by the United States Geological Survey may be obtained free. Copies of the standard topographic maps may be obtained for 10 cents each; some special maps are sold at different prices.

of 20 to 250 feet.

The aerial camera is now being used in mapping. From the information recorded on the photographs, planimetric maps, which show only drainage and culture, have been made for some areas in the United States. By the use of stereoscopic plotting apparatus, aerial photographs are utilized also in the making of the regular topographic maps, which show relief as well as drainage and culture.

A topographic survey of Alaska has been in progress since 1898, and nearly 44 percent of its area has now been mapped. About 15 percent of the Territory has been covered by maps on a scale of $\frac{1}{62,500}$ (1 inch = nearly 8 miles). For most of the remainder of the area surveyed the maps published are on a scale of $\frac{1}{125,000}$ (1 inch = nearly 4 miles). For some areas of particular economic importance, covering about 4,300 square miles, the maps published are on a scale of $\frac{1}{62,500}$ (1 inch = nearly 1 mile) or larger. In addition to the area covered by topographic maps, about 11,300 square miles of southeastern Alaska has been covered by planimetric maps on scales of $\frac{1}{125,000}$ and $\frac{1}{250,000}$.

The Hawaiian Islands have been surveyed, and the resulting maps are published on a scale of $\frac{1}{62,500}$.



The sketch represents a river valley that hills. In the foreground is the sea, with a hooked sand bar. On each side a terrace into which small streams have cut. The hill on the right has a rounded summit.

STANDARD SYMBOLS

CULTURE (printed in black)

City or village	Roads and buildings	Rains	Cliff dwelling	Good Public road	Poor Public or private road	Trail	Railroads	Electric railroad	Furrows						
Food	Dam	Dam with lock	Canal lock	U.S. township and section lines (point upstream)	State line	County line	Civil Township or district line	Boundary monument	Bench mark (supplementary bench mark shown by cross and black figures without lettering)	Cemeteries	Church, School (distinguished on recent maps)	Coke ovens	Ranks and oil reservoirs	Oil and gas wells	Mine or quarry

RELIEF (printed in brown)

Elevation above mean sea level (in black on recent maps)	Contours (Contours showing depth of water printed in blue)	Depression contours	Levee	Streams	Falls and rapids	Ice sheet
Wash	Cliffs (as shown by contours)	Mine dumps	Tailings or mining debris	Sand and sand dunes	Ice sheet lake	

WOODS (when shown, printed in green)



pages of descriptive text. The text explains the maps and describes the topographic and geologic features of the country and its mineral products. Two hundred twenty-five folios have been published.

Index maps of each State and of Alaska and Hawaii showing the areas covered by topographic maps and geologic folios published by the United States Geological Survey may be obtained free. Copies of the standard topographic maps may be obtained for 10 cents each; some special maps are sold at different prices. A discount of 40 percent is allowed on an order amounting to \$5 or more at the retail price. The discount is allowed on an order for maps alone, either of one kind or in any assortment, or for maps together with geologic folios. The geologic folios are sold for 25 cents or more each, the price depending on the size of the folio. A circular describing the folios will be sent on request.

Applications for maps or folios should be accompanied by cash, draft, or money order (not postage stamps) and should be addressed to

THE DIRECTOR,
 United States Geological Survey,
 Washington, D. C.

November 1937.

each represents a river valley that lies between two mountains. In the foreground is the sea, with a bay that is partly enclosed by a hooked sand bar. On each side of the valley is a mountain range into which small streams have cut narrow gullies. The mountain on the right has a rounded summit and gently sloping sides.

STANDARD SYMBOLS

NOTE: Effective on and after October 1, 1946, the price of standard topographic quadrangle maps will be 20 cents each, with a discount of 20 percent on orders amounting to \$10 or more at the retail rate.

CULTURE
(printed in black)

Railroads	Electric railroad	Tunnel	Power-transmission line	Wharves	Breakwater and jetties	Bridge	Drawbridges	Ferry <i>(point upstream)</i>
Telegraph line	County line	Civil Township or district line	Reservation line	Land grant line	City, village, or borough line	Small park or cemetery line	Triangulation point or transit traverse station	U.S. mineral monument
Lakes and reservoirs	Oil and gas wells	Mine or quarry	Prospect	Shaft	Mine tunnel	Mine tunnel <i>(showing direction)</i>	Lighthouse or beacon	Coast Guard station

WATER
(printed in blue)

Streams	Falls and rapids	Intermittent streams and ditches	Canals or ditches	Aqueducts or waterpipes	Aqueduct tunnels	Lake or pond	Unsurveyed stream (and abandoned canal)
Intermittent lake	Glacier <i>(Or glaciers in various positions printed in blue)</i>	Spring Well	Marsh	Submerged marsh			

WOODS

(when shown, printed in green)

BEFORE THE STATE ENGINEER OF OREGON

Baker County

IN THE MATTER OF THE APPLICATION)
 OF CITY OF BAKER FOR THE APPROVAL)
 OF A CHANGE IN POINT OF DIVERSION)
 OF WATER FROM GOODRICH CREEK)

O R D E R
APPROVING APPLICATION

 On July 6, 1961, the City of Baker filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Goodrich 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 to the Use of the Waters of Powder River and its Tributaries, a water right was established in the name of the City of Baker for the use of 11.25 cubic feet per second of the waters of Goodrich Creek for municipal water supply within the corporate limits of the City of Baker, of which 5.0 cubic feet per second is diverted through the Auburn ditch with a date of priority of 1863 and 6.25 cubic feet per second is diverted through the Nelson or Newton and Sturgill ditch with a date of priority of 1868. The point of diversion of the Auburn ditch is within the E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34 and the point of diversion of the Nelson or Newton & Sturgill ditch is within the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36, all in Township 8 South, Range 38 East, W. M.

The applicants herein, owners of the water right above described, propose to change their point of diversion to a point to be located 1320 feet North and 710 feet West from the southeast corner of Section 35, and being within the E $\frac{1}{2}$ SE $\frac{1}{4}$, said Section 35, Township 8 South, Range 38 East, W. M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely: at the

county courthouse in Baker, Oregon, on October 31, 1961, at 9:30 a.m. The notice was published in the Baker Democrat-Herald, a newspaper printed and having general circulation in Baker County, Oregon, for a period of three weeks in the issues of September 5, 12 and 19, 1961. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

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 proposed change in point of diversion of water from Goodrich Creek, to-wit:

From a point located within the E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34, known as the Auburn ditch, and

From a point located within the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36 known as the Nelson or Newton & Sturgill ditch, all in Township 8 South, Range 38 East, W.M.

To a point to be located 1320 feet North and 710 feet West from the southeast corner of Section 35, and being within the E $\frac{1}{2}$ SE $\frac{1}{4}$, said Section 35, Township 8 South, Range 38 East, W.M.

for the use of 11.25 cubic feet per second of water for municipal water supply within the corporate limits of the City of Baker, of which 5.0 cubic feet per second has a date of priority of 1863 and 6.25 cubic feet per second has a date of priority 1868, be and the same hereby is approved.

It is FURTHER ORDERED that the change in point of diversion of water shall be completed on or before October 1, 1963, or within such extension of time as may be granted by the State Engineer for good cause shown.

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

Dated at Salem, Oregon, this 12th day of January, 1962.

LEWIS A. STANLEY
State Engineer