



T. 6 S, R. 39 E.
 Cut # 4290
 Louise Koester
 T-3680
 MARVIN D. CROPP
 AND MARY L. CROPP

RECEIVED

NOV 16 1977

WATER RESOURCES DEPT
 SALEM, OREGON

[Red Box] = 1886

FROM OFFICE OF THE STATE ENGINEER, SALEM, OREGON

Powder River Adjudication
 John H Lewis State Engineer

Marvin D. Cropp
Robert D. ...
Watermaster for Dist. ...

Examined June 6 1912

Daisy, Woodworth Ella Woodworth Minnie Woodworth Baker, Oregon	1888						Section 30 T. 9 S. R. 40 E.W.M.
44245 Klinefelter, Peter Baker, Oregon	1899	7 9	Irrigation	Kline- felter	Drainage from Swamp & Gee Creek	16 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31 T. 8 S. R. 39 E.W.M.	
Knoblauch, Paul Richland, Oregon	1900	35	Irrigation	Bogarte	Powder	20 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 15 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35 T. 9 S. R. 45 E.W.M.	
1790 Koester, Louise North Powder, Oregon. T# 3680 Δ PDU 35A NESW $\frac{1}{4}$ 4A NWSE	1886 1907	111 92 <u>203</u>	Irrigation	Koester- Travil- lion	Powder	10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 37 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 35 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 14 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 26.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 37.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25 T. 6 S. R. 39 E.W.M. 203 acres	
1791 Laam, S.V. Richland, Oregon	May 1908	30	Irrigation	Laam #1 & 2	Daley Creek	5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 19 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28 T. 10 S. R. 45 E.W.M.	
1792 Lachner, Ida N. Baker, Oregon (Finding #13 & 27)	1893	6	Irrigation	Dave Kelly	Washington- Gulch	6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14 T. 9 S. R. 39 E.W.M.	
1793 Lachner, Walburga Baker, Oregon	1887	✓ 11.5	Irrigation	Baldock Slough	Powder	11.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16 T. 9 S. R. 40 E.W.M.	
	July 5 1902	✓ 80		Williams- McDougal		40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34 T. 8 S. R. 40 E.W.M.	
	1887	10			Springs in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34	10 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34 T. 7 S. R. 40 E.W.M.	

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BAKER COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT)
IN THE NAME OF LOUISE KOESTER)

ORDER

On December 2, 1985, Marvin D. and Mary L. Cropp of PO Box 172, North Powder, Oregon 97867, submitted an affidavit that they are the owners of a certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question was established by Decree of the Circuit Court for Baker County, entered March 18, 1918, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Powder River, tabulated in the name of Louise Koester, at page 408, Volume 6, Order Record of the Water Resources Director, and is a portion of the right described by the certificate recorded at page 45022, Volume 37, State Record of Water Right Certificates, in the name of Louise Koester, and is for the use of not to exceed one-fortieth cubic foot per second per acre of water from Powder River, with a date of priority of 1907, for 2.7 acres in the SW 1/4 NE 1/4, Section 25, Township 6 South, Range 39 East, WM.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 45022, Volume 37, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that the said certificate of water right is canceled, and in lieu thereof a new certificate be issued to describe the balance of the water right NOT involved in this proceeding.

Dated at Salem, Oregon, this 13th day of December, 1985.

William H. Young
WILLIAM H. YOUNG
Director

1436A
1701D



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-8453

December 16, 1985

Marvin D. & Mary L. Cropp
PO Box 172
North Powder OR 97867

Dear Mr. & Mrs. Cropp:

REFERENCE: T-3680

Enclosed is a copy of the order Volume 39, page 467, canceling a part of the water right evidenced by Certificate 45022, as authorized by your affidavit.

Sincerely,

MYRON V. BISH
Supervisor
Adjudication Section

MVB/as

- cc: Mr. V. Kent Searles, Watermaster, Dist. #8
(no map)
b.c. This cancellation is the result of overacreage in SW $\frac{1}{4}$ NE $\frac{1}{4}$
in conjunction with Transfer 3680.

RECEIVED

DEC 2 1985

WATER RESOURCES DEPT
SALEM, OREGON

A F F I D A V I T

STATE OF OREGON)
County of Baker) ss

We Marvin D. and Mary L. Cropp, of P.O. Box 172, North Powder, Oregon 97867, being first duly sworn, depose and say that we are the legal owners of the following described property:

SW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 25
Township 6 South, Range 39 East, W.M.

and the water right that is appurtenant thereto, it being a portion of Tract No. 2 as described in Certificate No. 45022, Vol. 37, State Record of Water Right Certificates, in the name of Louise Koester, under date of priority of 1907, for use of 1/40th c.f.s. per acre of water from Powder River for the irrigation of 2.7 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25, Township 6 South, Range 39 East, W.M.; that we have abandoned any and all interest in this water right and request the said right be cancelled.

IN WITNESS WHEREOF, We hereunto set our hands this 27th day of November 1985.

Mary L Cropp Witnessed by Leona E. ...
X X (Her Mark) Witnessed by Serita ...

Marvin Cropp

Subscribed and sworn to before me this 27th day of November, 1985.

Paul Hillman

Notary Public of Oregon
My Commission expires _____

NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES MAY 15, 1986

OF WATER CERTIFICATE OF WATER RIGHT

This Is to Certify, That LOUISE KOESTER

of North Powder, State of Oregon, 97867, has a right to the use of the waters of Powder River

a tributary of Snake River for the purpose of the irrigation of 164.0 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Baker County; and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 6, at page 291; that the priority of the right thereby confirmed dates from 1886 for 72.0 acres in Tract No. 1 and 1907 for 89.3 acres in Tract No. 2

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/40 of one cubic foot per second per acre; and shall be subject to all other conditions and limitations contained in said decree.

The point of diversion is located in the

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

Table with 2 columns: Tract No. 1 and Tract No. 2. Tract No. 1 includes 10.0 acres NW 1/4 NE 1/4, 32.0 acres SW 1/4 NE 1/4, 22.5 acres NW 1/4 SE 1/4, 7.5 acres SW 1/4 SE 1/4, and Section 25. Tract No. 2 includes 5.0 acres SW 1/4 NE 1/4, 3.0 acres NW 1/4 SW 1/4, 14.0 acres SW 1/4 SW 1/4, 40.0 acres SE 1/4 SW 1/4, and 30.0 acres SW 1/4 SE 1/4, and Section 25.

Space 3-4 lines

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 4290, Volume 4, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on November 18, 1977, approving transfer application No. 3680.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610 pertaining to forfeiture or abandonment.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date December 19, 1977

James E. Sexson Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 37, page 45022

VRR

OF WATER CERTIFICATE OF WATER RIGHT

LOUISE #1 This Is to Certify, That LOUISE KOESTER

of North Powder, State of Oregon, 97867, has a right to the use of the waters of Powder River

a tributary of Snake River for the purpose of the irrigation of 164.0 acres 161.3

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Baker County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 6, at page 291; that the priority of the right thereby confirmed dates from 1886 for 72.0 acres in Tract No. 1 and 1907 for 89.3 92.0 acres in Tract No. 2

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/40 of one cubic foot per second per acre, and shall be subject to all other conditions and limitations contained in said decree.

The point of diversion is located in the

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

Table with 2 columns: Tract No. 1 and Tract No. 2. Tract No. 1 includes 10.0 acres NW 1/4 NE 1/4, 32.0 acres SW 1/4 NE 1/4, 22.5 acres NW 1/4 SE 1/4, 7.5 acres SW 1/4 SE 1/4, and Section 25. Tract No. 2 includes 23 5.0 acres SW 1/4 NE 1/4, 3.0 acres NW 1/4 SW 1/4, 14.0 acres SW 1/4 SW 1/4, 40.0 acres SE 1/4 SW 1/4, 30.0 acres SW 1/4 SE 1/4, and Section 25.

Space 3 or 4 lines

45022 T. 6 S., R. 39 E., W.M. This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 4290, Volume 5, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on November 18, 1977, approving transfer application No. 3680. December 13, 1985

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610, pertaining to forfeiture or abandonment.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date December 19, 1977

James E. Sexson Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 37, page 45022

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Issued 12-31-85