

T 155

B-105

STATUS OF APPLICATION

Change in point of diversion
 Date filed March 19, 1958
 Date returned for further data _____
 Date application completed _____
 Notice for publication mailed _____
 Date notice published _____
 Date of hearing _____
 Place of hearing _____
 Date of order Dec 4, 1958 Vol. 9, page 461
 Date of application of water 10-1-59
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page 25909

DESCRIPTION OF WATER RIGHT

Name of stream Laycock Creek
 Trib. of John Day County of Grant
 Use Irr.
 Quantity of water _____ No. of acres 35.3
 Name of ditch unnamed ditches
 Date of priority 1866
 In name of Charles M. Timms
John Day Adjudication, Vol. 10, Page 616
 App. No. _____ Per No. _____ Cert. No. _____
 Certificate cancelled _____
 Notation made on record by R VR. WAC

FEEES PAID

Date	Amount	Receipt No.
3/19/58	15-	15591
6/12/58 Pub.	25-	16858
Total		
	\$1 Cert. Fee	

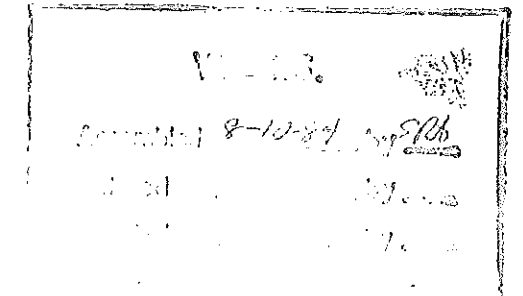
FEEES REFUNDED

Date	Amount	Check No.
7468	2.35	11/8/58
7469	21.65	

52029 per T-5122

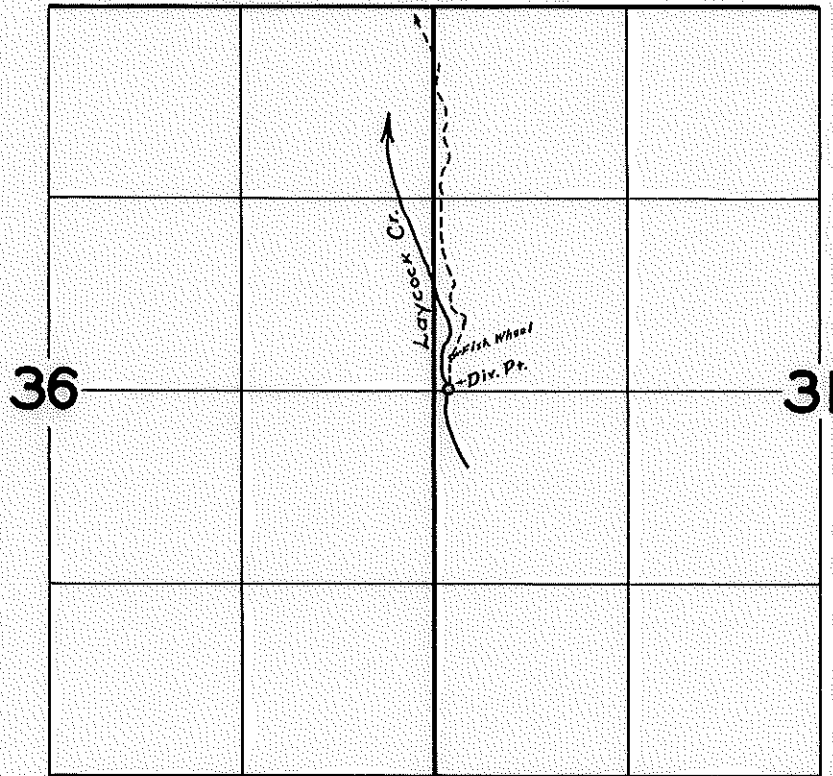
REMARKS

See Appl. 32149 for maps
Surveyed Aug. 7, 1959. Point of diversion located at approx. the point as described in the order.
From
An adj. right - no new cut necessary



1104

T. 13S. R. 30&31E. W.M.



FINAL PROOF SURVEY
UNDER

Application No. B-105 Permit No. _____
IN NAME OF

ANTHONY P. BRAGGA

Surveyed Aug. 7, 1959, by M. Bish

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That CHAS. H. TISS, SUCCESSOR IN INTEREST TO ARCHIE H. TISS

of John Day, State of Oregon, has a right to the use of the waters of Laycock Creek

for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Grant County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 25, at page 462; that the priority of the right thereby confirmed dates from 1866

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 1/10 cubic foot per second per acre irrigated to June 1 and 1/80 cubic foot per second per acre thereafter; further limited to one acre-foot per calendar month to June 1 and four acre-feet per acre during season April 1 to Sept. 30, measured at point of diversion.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

15.0 acres in NE 1/4 Sec 25,
11.5 acres in SE 1/4 Sec 25,
Section 25,
0.3 acre in SE 1/4 Sec 36,
0.5 acres in NE 1/4 Sec 36,
Section 36,
T. 13 S., R. 30 E., W. N.

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 State Engineer, affixed

this 1st day of May, 19 59.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 27, page 25369

REPORT OF PERSON MAKING INSPECTION

Description of works:

Div. Pt. Rock & Earth Dam 1 ft high approx. 20 ft long

Ditch 3 ft wide - water depth at present 0.4 ft
ditch would hold 1 1/2 ft more
Sides vertical for approx 0.8 ft,
then slope approx 2:1
fall averages 5.5/1000

Fish Wheel measurement
4 ft wide x 1 1/2 deep

Surveyed Div. Pt. Change this date

August 7 '59

Myron Bick
Field Engineer

I,, do hereby certify that I have made an inspection of the works described herein and in Permit No., on the day of, 19....., and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of
(Quantity of water in second-feet or acre-feet)
and I recommend the issuance of water right certificate for this amount.

NOTICE TO INSPECTORS

If conditions do not justify the above report by you, please return this form without your signature, with a full report by letter.

.....
(Name)

.....
(Title)

Form C

IMPORTANT—This form is a notice to the State Engineer that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated. Fill out, detach and mail to the State Engineer, Salem, Oregon, when all of the water has been applied.

RECEIVED
AUG 17 1959
STATE ENGINEER
SALMON, OREGON

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

Change of Div. Pt. Completion Application No. *B-105* Transfer No. *B-105*
Anthony P. Braga, the holder of Permit No. *B-105*

to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the *1* day of *August*, 19*59*.

Remarks: *Div. Pt. Change*

IN WITNESS WHEREOF, I have hereunto set my hand this *7* day of *August*, 19*59*.

Anthony P. Braga
(Signature of Applicant)

John Day, Ore.
(Address)

- #1 360.0' N & 130.0' W. of E. $\frac{1}{4}$ cor., Sec. 36, T. 13 S., R. 30 E., W.M.,
and being within SE $\frac{1}{4}$ NE $\frac{1}{4}$, said Sec. 36.
This ditch now being used to irrigate 2.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 36.
- #2 770.0 ft. south and 210.0 ft. W. from NE corner of Sec. 36, T. 13 S.,
R. 30 E., W.M. and being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, said Sec. 36.
(Abandoned)
- #3 1370.0 ft. S. and 740.0 ft. W. from NE cor. of Sec. 36, T. 13 S., R. 30 E.,
W.M. and being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T. 13 S., R. 30 E., W.M.
(Abandoned)

1. 360' N. & 130' W from E¹/₄ Sec. 36 T, 135R 90E W¹
SE NE Sec. 36

800' downstream (North) ditch splits ^{lateral} one ^{crossing} the creek
etc.

2. 770' S & 210' W from NE Cor. of Sec 36 " "
NE NE Sec. 36

3. 1370' S & 740' W from NE Cor. of Sec " "
Within NE SE Sec. 28

The app't indicates that one ditch ~~will now~~ ^{is to} be utilized
for the use of the 38.3 acres involved instead of the 3 ditches
formerly used.

However
The map on the app't to app'x waste water, which
shows the location of the new proposed ditch, ~~to be~~
~~the same as a parallelly direction~~ ^{shows the ditch to be located} on the east side
of Layton Creek throughout its length. I assume that
a flume will be installed across Layton Creek to dump
water in the present ditch on the west side of the
Creek for the use of the land on the west
side of said creek.

March 26, 1958

Mr. Anthony P. Bragga
John Day
Oregon

Re: Transfer No. B-105

Dear Mr. Bragga:

I have your application for the approval of a change in point of diversion of water from Laycock Creek, right of way easement and legal description of your property, together with your check in the amount of \$15 for which our receipt No. 15591 is enclosed.

From an examination of the application, it appears that there are several items which need clarification. Under Item 2 you have shown that water is used for both irrigation and livestock purposes, whereas the water right is for irrigation only. The words, "and livestock use", should be eliminated from the application. Under Item 3 the description of the points of diversion of the three ditches presently being used for the irrigation of the lands involved should be described. Since there isn't sufficient space under Item 3, the description of the three diversions may be attached to the application on a separate sheet.

Our records indicate that the three points of diversion are located as follows:

- #1 360 feet north and 130 feet west from the east quarter corner of Section 36, T. 13 S., R. 30 E., W.M., and being within SE $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 36
- #2 770 feet south and 210 feet west from northeast corner of Section 36, T. 13 S., R. 30 E., W. M., and being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 36
- #3 1370 feet south and 740 feet west from northeast corner of Section 36, T. 13 S., R. 30 E., W. M., and being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, T. 13 S., R. 30 E., W. M.

March 26, 1958

The application indicates that one ditch is to be utilized for the irrigation of the 35.3 acres involved instead of the three ditches formerly used. However, the map accompanying the application to appropriate waste water, which shows the location of the new proposed ditch, shows the ditch to be located on the east side of Laycock Creek throughout its length. I assume that a flume will be installed across Laycock Creek to pump water in the present ditch on the west side of the creek for the irrigation of the lands on the west side of said creek. The method of conveying the water for the irrigation of these lands on the west side of the creek may be shown on the map or under remarks of the application. The application is being returned for your convenience in checking the same.

In view of the fact that the distance between the proposed point of diversion and the two lower ditches is more than one-fourth mile, it will be necessary to publish notice in a newspaper printed and having general circulation in Grant County, as provided by ORS 540.520. A deposit of \$25 should be made for this purpose, of which any unused portion will be returned to you. In this connection it will be appreciated if you will advise the name of the paper in which you desire the notice to be published.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Max F. Rogers, Deputy

MFR:VR
Enc.

June 17, 1958

Mr. Martin Braga
Watermaster, District No. 6
Canyon City, Oregon

Re: Transfer No. B-105

Dear Mr. Braga:

Enclosed is a copy of notice being mailed today for publication in the June 27 and July 4 and 11 issues of the Blue Mountain Eagle.

It will be appreciated if you will advise if in your opinion this proposed change in point of diversion may be made without injury to existing rights.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Max F. Rogers, Deputy

vr
Enc.

June 17, 1958

Blue Mountain Eagle
John Day
Oregon

Re: Transfer No. B-105

Gentlemen:

Please publish the enclosed notice in the June 27 and July 4 and 11, 1958 issues of the Blue Mountain Eagle.

After completion, please furnish this office with an affidavit of publication together with your statement covering the cost of such service.

If for any reason you are unable to publish the notice on the dates specified above, please return it to this office.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Max F. Rogers, Deputy

vr
Enc.
cc - Mr. Anthony P. Bragga

August 28, 1958

Blue Mountain Eagle
John Day
Oregon

Re: Transfer No. B-105

Gentlemen:

On June 17, 1958 we mailed you a copy of a notice to be published in the June 27 and July 4 and 11, 1958 issues of the Blue Mountain Eagle. A copy of our letter of transmittal is being enclosed for your reference.

Please advise whether you received our letter and the notice.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Max F. Rogers, Deputy

vr
Enc.

9/17 called and was promised they would send it this afternoon.

AFFIDAVIT OF PUBLICATION

STATE OF OREGON }
 County of Grant } ss.

I, Viola M. Puntney, being first duly sworn, depose and say that I am the ~~owner, editor, publisher, manager, principal clerk~~ of the GRANT COUNTY BLUE MOUNTAIN EAGLE, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at John Day, in the aforesaid county and state; that the Notice of Filing--Anthony P. Bragga

, a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for two successive and consecutive weeks in the following issues: June 26 and July 3, 1958

Subscribed and sworn to before me this 20th day of September, 1958

Viola M. Puntney

Hale J. Lemons

 Notary Public for Oregon.

My Commission expires 4-15, 1961.

Cost of this publication was \$ 15.40

NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT OF DIVERSION OF WATER
 Notice is given hereby that Anthony P. Bragga has filed an application for the approval of a change in point of diversion of water from Laycock Creek.
 In the John Day River adjudication proceedings a water right was established in the name of Charles M. Timms for the irrigation of 15 acres in NE¹/₄ SE¹/₄ and 11.5 acres in SE¹/₄ SE¹/₄, Sec. 25 and 8.5 acres in NE¹/₄ NE¹/₄ and 0.3 acre in SE¹/₄ NE¹/₄, Sec. 36, T. 13 S., R. 30 E., W. M., from Laycock Creek with a date of priority of 1886. These lands are irrigated by means of three unnamed ditches, the points of diversion of these ditches being within the NE¹/₄ NE¹/₄ and SE¹/₄ NE¹/₄, Sec. 36 and NE¹/₄ SE¹/₄, Sec. 25, T. 13 S., R. 30 E., W. M.
 The applicant herein, owner of the lands above described, proposes to irrigate all of said lands with the exception of 2 acres in said NE¹/₄ NE¹/₄, Sec. 36, by means of an unnamed ditch the point of diversion of said ditch being located 90 ft. S. and 33 ft. E. from E¹/₄ corner of Sec. 36, and being within NW¹/₄ SW¹/₄, Sec. 31, T. 13 S., R. 30 E., W. M.
 All persons interested are notified hereby that a hearing will be held at the county courthouse in Canyon City, Ore. on Aug. 21, 1958, beginning 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 filed with the State Engineer, Salem, Ore., together with a \$2 filing fee, at least 10 days prior to the date set for hearing, and one copy served on Anthony P. Bragga, John Day, Ore. If no objections are filed, the application may be approved by the State Engineer without a hearing.
 Dated at Salem, Ore., this 17th day of June 1958.
 LEWIS A. STANLEY,
 State Engineer
 24-25

GRANT COUNTY
Blue Mountain Eagle

OREGON'S OLDEST WEEKLY NEWSPAPER
 COMMERCIAL PRINTING
 Telephone 92
 JOHN DAY, OREGON
 Sept. 18, 1958

TO State Engineer's Office
Salem, Oregon

DATE	ACCOUNT	CREDITS	CHARGES	BALANCE
	BALANCE BROUGHT FORWARD			
June 26-July 3	Notice of Filing-- Application Anthony P. Bragga		15.40	
	<i>called them - notice was not published on July 10, 1958.</i>			

September 22, 1958

Blue Mountain Eagle
John Day
Oregon

Re: Transfer No. B-105

Gentlemen:

Pursuant to our telephone conversation of this date, I am enclosing a notice for publication in the October 2, 9 and 16, 1958 issues of the Blue Mountain Eagle. The notice is the same as the one published on June 26 and July 3 of this year except that the date for hearing has been changed.

After publication please furnish this office with an affidavit of publication and your statement covering the cost of the three runs.

If you cannot publish the notice on the dates specified above, please return it to this office.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Max F. Rogers, Deputy

vr
Enc.

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

Notice is given hereby that Anthony P. Bragga has filed an application for the approval of a change in point of diversion of water from Laycock Creek.

In the John Day River adjudication proceedings a water right was established in the name of Charles M. Tims for the irrigation of 13 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 11.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25 and 8.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 0.3 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 13 S., R. 30 E., W. M., from Laycock Creek with a date of priority of 1866. These lands are irrigated by means of three unnamed ditches, the points of diversion of these ditches being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36 and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T. 13 S., R. 30 E., W. M.

The applicant herein, owner of the lands above described, proposes to irrigate all of said lands with the exception of 2 acres in said NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, by means of an unnamed ditch, the point of diversion of said ditch being located 90 ft. S. and 89 ft. E. from E $\frac{1}{4}$ corner of Sec. 36, and being within NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 13 S., R. 30 E., W. M.

All persons interested are notified hereby that a hearing will be held at the county courthouse in Canyon City, Ore. on ~~Aug. 22, 1958~~ Nov. 25, 1958, beginning 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 filed with the State Engineer, Salem, Ore., together with a \$2 filing fee, at least 10 days prior to the date set for hearing, and one copy served on Anthony P. Bragga, John Day, Ore. If no objections are filed, the application may be approved by the State Engineer without a hearing.

Dated at Salem, Ore., this 17th day of June 1958.

LEWIS A. STANLEY, State Engineer



AFFIDAVIT OF PUBLICATION

OK
UP

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

Notice is given hereby that Anthony P. Bragga has filed an application for the approval of a change in point of diversion of water from Laycock Creek.

In the John Day River adjudication proceedings a water right was established in the name of Charles M. Himmis for the irrigation of 15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 11.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25 and 8.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 0.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 13 S., R. 30 E., W. M. from Laycock Creek with a date of priority of 1866. These lands are irrigated by means of three unnamed ditches, the points of diversion of these ditches being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36 and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, T. 13 S., R. 30 E., W. M.

The applicant herein, owner of the lands above described, proposes to irrigate all of said lands with the exception of 2 acres in said NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, by means of an unnamed ditch, the point of diversion of said ditch being located 90 ft. S. and 89 ft. E. from E $\frac{1}{4}$ corner of Sec. 36, and being within NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 13 S., R. 30 E., W. M.

All persons interested are notified hereby that a hearing will be held at the county courthouse in Canyon City, Ore. on Nov. 25, 1958 beginning 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 filed with the State Engineer, Salem, Ore., together with a \$2 filing fee, at least 10 days prior to the date set for hearing, and one copy served on Anthony P. Bragga, John Day, Ore. If no objections are filed, the application may be approved by the State Engineer without a hearing.

Dated at Salem, Ore., this 17th day of June, 1958.

LEWIS A. STANLEY
State Engineer

37-39

STATE OF OREGON }
County of Grant } ss.

I, Viola M. Puntney, being first duly sworn, depose

and say that I am the owner, ~~editor~~, ~~publisher~~, ~~manager~~, principal clerk of the GRANT COUNTY BLUE MOUNTAIN EAGLE, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at John Day, in the

aforesaid county and state; that the Notice of Filing Application--

A.P. Bragga, John Day, Oreg, a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for three (3)

successive and consecutive weeks in the following issues Sept. 25 and October 2 and 9, 1958

Viola M. Puntney

Subscribed and sworn to before me this 10th day of November, 1958

Hale J. Linneman
Notary Public for Oregon.

My Commission expires 4-15, 1961

Cost of this publication was \$ 21.65

RECEIVED
NOV 18 1958
STATE ENGINEER
SALEM, OREGON

GRANT COUNTY

 Blue Mountain Eagle

OREGON'S OLDEST WEEKLY NEWSPAPER
 COMMERCIAL PRINTING

Telephone 92

JOHN DAY, OREGON

Nov. 1, 1958

TO State Engineer
 Salem, Oregon

DATE	ACCOUNT	CREDITS	CHARGES	BALANCE
	BALANCE BROUGHT FORWARD			
Sept. 25	Notice--Application A.P. Bragga		21.65	
	<i>OK IR</i>			
	<i>B-105</i>			

November 18, 1958

Mr. Anthony P. Bragga
John Day
Oregon

Re: Transfer No. B-105

Dear Mr. Bragga:

Enclosed is our check No. 7468 in the amount of \$3.35 which represents the unused balance of your \$25 deposit for publication of notice in connection with the above transfer. Publication of notice amounted to \$21.65.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Max F. Rogers, Deputy

vr
Enc.

November 18, 1958

Blue Mountain Eagle
John Day
Oregon

Re: Transfer No. B-105

Gentlemen:

Enclosed is our check No. 7469 in the amount of \$21.65 in payment of your statement of November 1st for publication of notice.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Max F. Rogers, Deputy

vr
Enc.

December 10, 1958

Mr. Anthony P. Bragga
John Day
Oregon

Re: Transfer No. B-105

Dear Mr. Bragga:

Enclosed is a certified copy of the order of the State Engineer approving your application for a change in point of diversion of water from Laycock Creek.

Also enclosed is a notice of completion of construction which should be dated and signed and returned to this office when the new point of diversion has been completed. Under the terms of the order this should be done on or before October 1, 1959.

We regret the delay in approving your application.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By

Max F. Rogers, Deputy

VR

Enc.

cc - Mr. James K. Allen, Watermaster

RECEIVED
MAR 19 1958
STATE ENGINEER
SALEM, OREGON

RIGHT OF WAY EASEMENT

Anthony J. Bragga and Mabel M. Bragga, husband and wife, and
RECEIVED OF John J. Silvers and Florence Silvers, husband and wife
one Dollar (\$1.00) and other valuable consideration, for which the undersigned,

Clark Morris and Ramona Morris

his wife, hereby grant and convey unto said parties, forever, the right to
construct, reconstruct, operate and maintain an Irrigation Ditch over and upon
a strip of land 12 feet in width, described as follows:

Commencing at a point which is 90.0 ft. S. and 89.0 ft. E. of W₁ corner
Section 31, T. 13 S., R. 31 E., thence Northerly to a point 300 ft. S. of
the NW corner of said Section 31. This ditch being approximately 2630 ft.
in length.

TOGETHER with the right of crossing over our adjoining lands to maintain
said ditch.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 20th
day of February, 1958

WITNESSED BY:

John E. Shaw

Clark Morris (SEAL)
Ramona Morris (SEAL)

STATE OF OREGON
COUNTY OF GRANT SS.

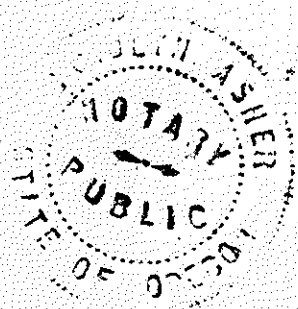
On this day personally appeared before me CLARK MORRIS and RAMONA
MORRIS, his wife,

to me known to be the individual s described in and who executed the within and
foregoing instrument, and acknowledged that they signed the same as
their free and voluntary act and deed, for the purposes therein

mentioned.

Given under my hand and official seal this 20th day of Feb., 1958

W. L. Asher
Notary public for Oregon
My Commission expires 10-26-59



RECEIVED
 MAR 19 1958
 STATE ENGINEER
 SALEM, OREGON

RECEIVED
 MAR 19 1958
 STATE ENGINEER
 SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Anthony P. Bragga (Name of applicant)

of John Day (Postoffice), County of Grant

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 Laycock Creek (Name of stream)

2. The use to which the water is applied is Irrigation only (Agriculture, Mining, Power, Manufacturing, etc.)

3. The name of the ditch, canal or pipe line is No name Bragga Silvers Ditch Unnamed ditches.

4. The point of diversion is located _____ ft. _____ and _____ ft. _____ from the _____ (N. or S.) (E. or W.)

corner of _____ (Section or subdivision) being within the _____

of Section _____ Tp. _____ R. _____ W. M., in the County of _____ (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
13S.	30 E.	36	6.5			0.3											15.0	11.5
13S.	30 E.	25															15.0	11.5
			2															

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

1/2 of 8.5 ✓ 0.3 ✓ (Attach separate sheet if necessary) 15.0 ✓ 11.5 ✓
 all 1.10 p. 616 1.10 p. 616 22.9 ac

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

7. What is the priority date of your water right? 1866

8. Was your water right acquired by State Engineer's Permit? Yes If so, give number (Yes or No)

of permit _____

*for map showing proper part of diversion
 see app. 32199 + 32,000*

9. Do you hold a water right certificate? Yes If so, give number of certificate 1350
(Yes or No)

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

No If so, give title of proceedings _____
(Yes or No)

11. Is the water right recorded in your name? Charles M. Timms
(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 90 ft. S. and 89 ft. E. from the E $\frac{1}{2}$ corner of Section 36 being within the NW SW of Section 31 Tp. 13 S. R. 30 E. W. M.,
(Smallest legal subdivision) (N. or S.) (E. or W.) (No. N. or S.) (No. E. or W.)
 in the county of Grant The name of the ditch to be used is No name.

14. Are you the owner of the land on which the proposed point of diversion is to be located? No

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.

Clark Morris, John Day, Oregon
Copy of Easement attached.

16. Are there any diversions between your present point of diversion and the proposed point of diversion? 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.? _____
(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 Better coverage for irrigation.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Grant } ss.

I, Anthony P. Bragga, 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 23 day of Feb, 1958

Anthony P. Bragga
(Name of applicant)

Subscribed and sworn to before me this 23 day of Feb, 1958

[Notarial Seal]

Donald Wilson
NOTARY PUBLIC FOR OREGON

My commission expires 10/26/58

Remarks _____

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.