

STATUS OF APPLICATION

Change in Point of Diversion
Date filed April 30, 1970
Date of hearing July 16, 1970
Place of hearing Canyon City, Oregon
Date of order 11-30-70 Vol. 20, page 258
Date for application of water 10-1-71
Proof mailed
Proof received
Certificate issued APR 15 1977 Vol. 36, page 44294

2370
DESCRIPTION OF WATER RIGHT

Name of stream Marks Reeves Creek
Trib. of County of Grant
Use Irrigation
Quantity of water see order No. of acres 57 1/2
Name of ditch Marks Creek Ditch
Date of priority February 15, 1889
In name of Horace D Stewart
John Day River Adjudication, Vol. 10, page 606
App. No. Per. No. Cert. No. 25847
Certificate cancelled
Notation made on record by sh

FEEES PAID

Table with columns: Date, Amount, Receipt. Entries include 4/30/70 (25.00), 4/30/70 (30.00), TOTAL (6-17-70 \$1 Cert. Fee), 7-11-73 (1.00), 7-29-74 (1.87).

FEEES REFUNDED

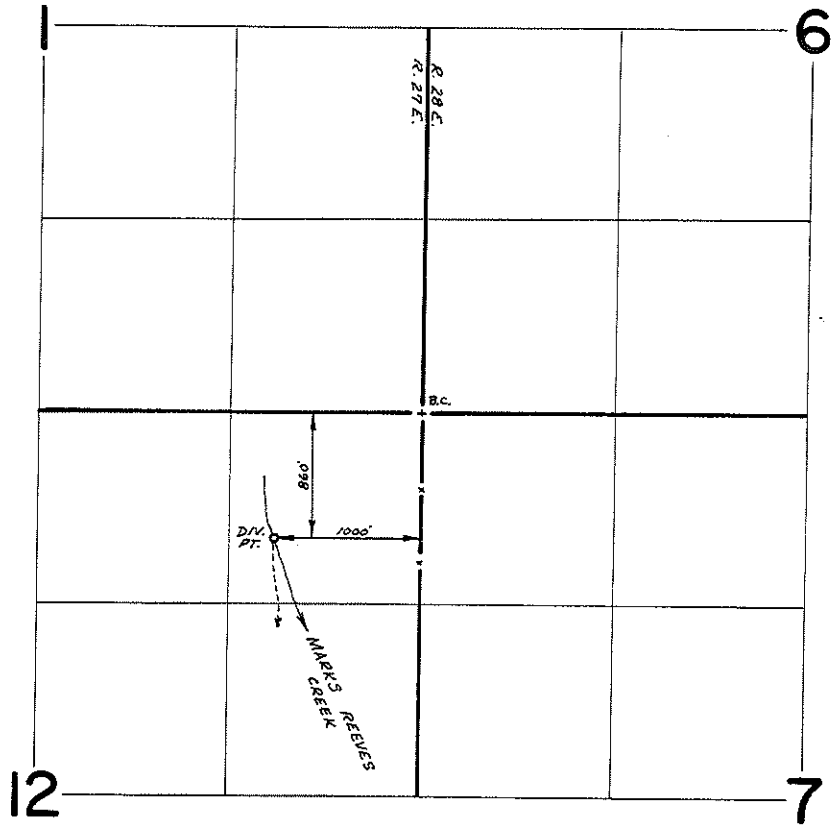
Table with columns: Date, Amount, Check. Entry: 6-17-70 \$5.04 Pub. of Nat. 367

REMARKS

W.R.I.S.
Assembled 8-15-89 by [signature]
Entered by
Verified by

INDEX CARDS: Name, Stream, Pt. of Div., Calendar, Twp. & Rge., Decree-vault, Decree-safe, Cert. of W/R, Per. Folder, Chaindex, Cross Ref., Power Claim, Abstracts. Includes 'TO BE ENTERED WHERE CHECKED' and 'CHECKED TO RECORDS:' columns.

T.13S., R.27E., W.M.



FINAL PROOF SURVEY
UNDER

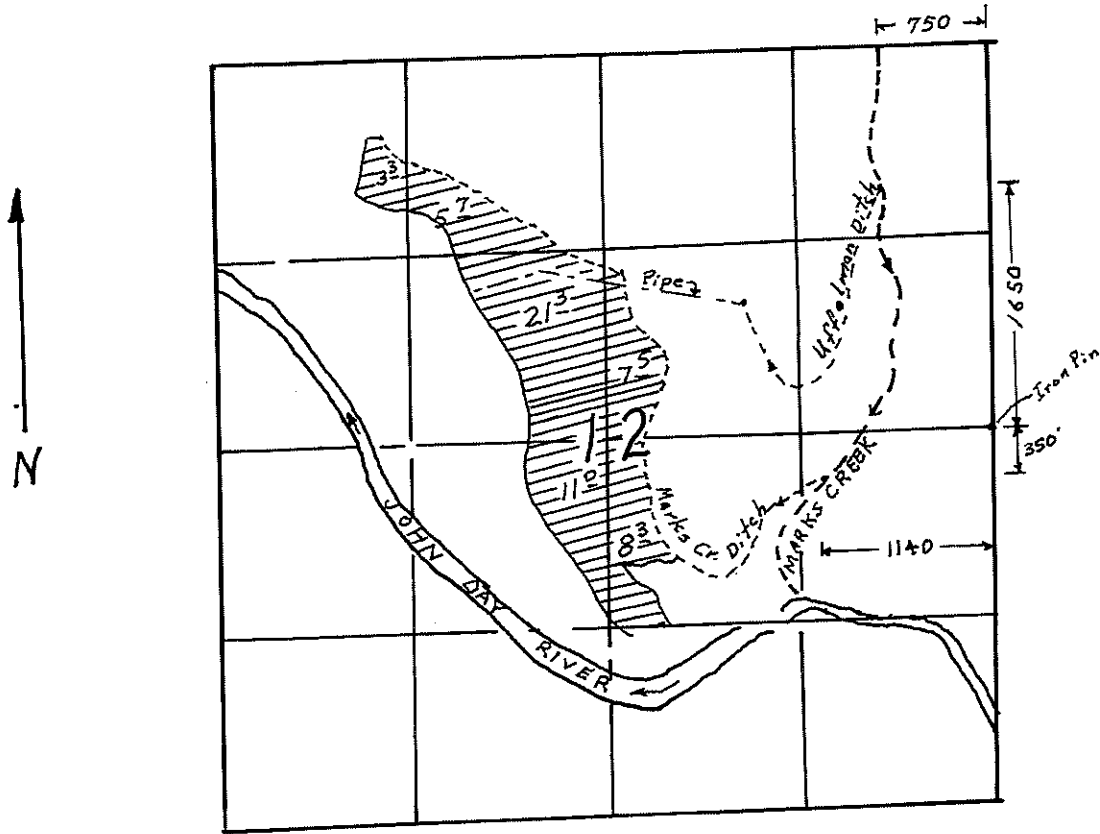
Transfer No. 2370
Application No. _____ Permit No. _____
IN NAME OF

EDWARD B. UFFELMAN

Surveyed June 19 1975, by D. Norby

T13S., R27E., W.M.

RECEIVED
APR 30 1970
STATE ENGINEER
SALEM, OREGON



Scale: 4" = 1 mi.

Map Approved by: Edward B. Uffelmaier

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 Canyon City, Oregon, on July 16, 1970, at 9:30 a.m. The notice was published in the Blue Mountain Eagle, a newspaper printed and having general circulation in Grant County, Oregon, for a period of three weeks in the issues of May 21, 28, and June 4, 1970. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Howard Daggett, Watermaster of District No. 4, has filed a report to the effect that the proposed change in point of diversion of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of diversion of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from Marks Reeves Creek, to-wit:

From a point located 350 feet south and 1140 feet west from the SE corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$ being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 13 South, Range 27 East, W.M.

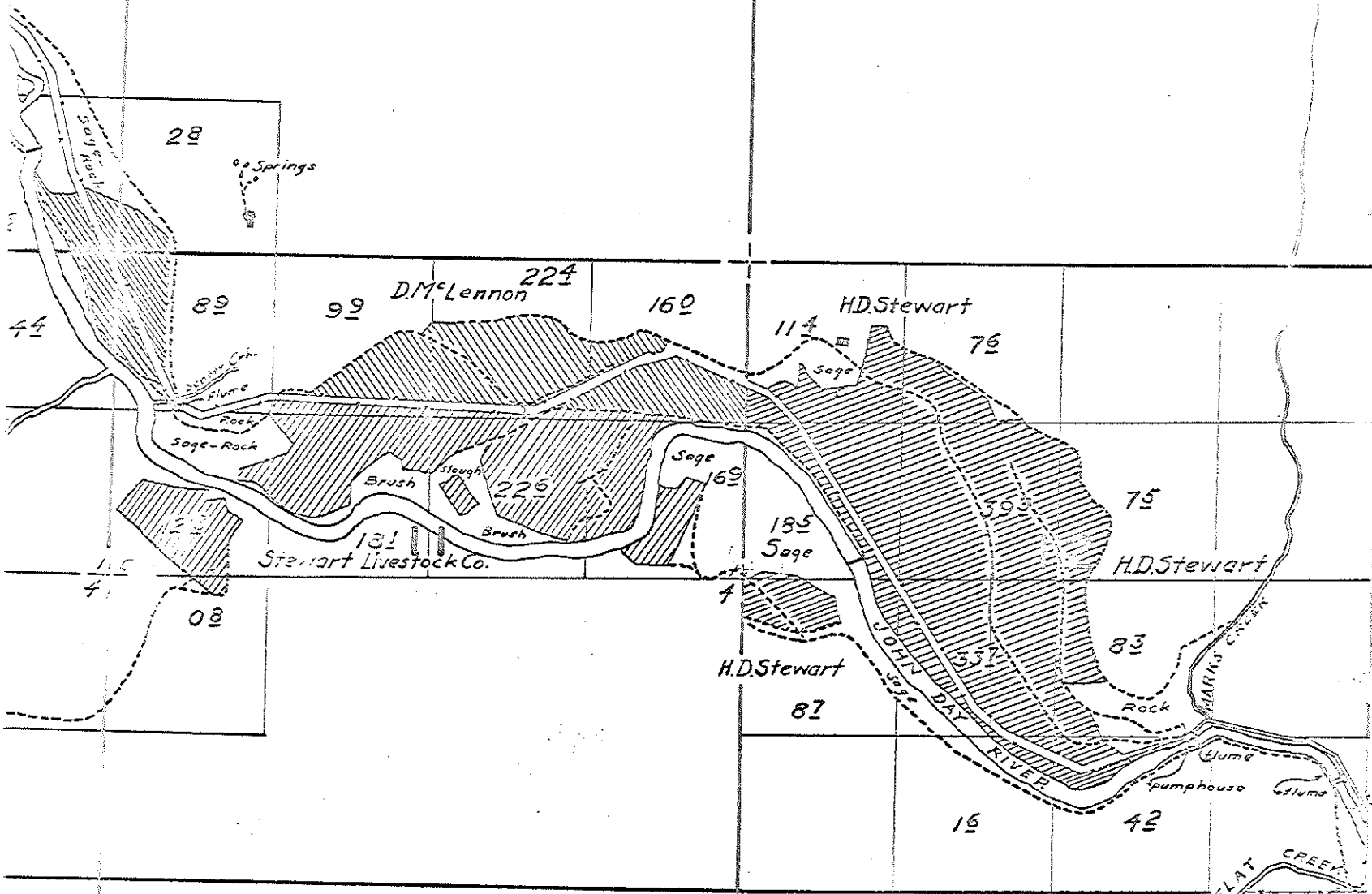
To a point to be located 1650 feet north and 750 feet west from the E $\frac{1}{2}$ corner of Section 12 being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 13 South, Range 27 East, W.M.

for the irrigation of 7.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 21.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 11.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, and 8.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 13 South, Range 27 East, W.M., with a date of priority of February 15, 1889, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1971.

2

1/4 Cor.
4



14

23

24

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Edward B. Uffelmann HORACE D. STEWART

of Dayville, State of Oregon 97865, has a right to the use of the waters of Mark Reeves Creek trib. John Day R. for the purpose of the Irrigation of 57.1 acres

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 15, at page 461; that the priority of the right thereby confirmed dates from February 15, 1889

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 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:

- 7.5 acres in SW 1/4 NE 1/4
5.7 acres in NE 1/4 NW 1/4
3.3 acres in NW 1/4 NW 1/4
21.3 acres in SE 1/4 NW 1/4
11.0 acres in NE 1/4 SW 1/4
8.3 acres in NW 1/4 SE 1/4
Section 12,
T. 13 S., R. 27 E., W. M.

P.O.D. NE 1/4 NE 1/4 Sec 12 T 13 S R 27 E W M 860 S of 1000 W from the NE cor Sec 12

22710
33725
25851

(NOTE: The land in the NE 1/4 NW 1/4, 14.3 acres in the SE 1/4 NW 1/4, NE 1/4 SW 1/4 and 4 acres in NW 1/4 SE 1/4 have a supplemental supply from John Day River pumped thru the Pump Ditch with priority of 1906.)

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, officed

this 1st day of May, 1959.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 2103

This certificate is issued to confirm a change in P.O.D. approved by an order of the Water Resources Director entered Nov 30, 1970.

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOR

P.T.S 1978-C
6-19-75
DMN

Transfer No. 2370 County Grant

1. Name Edward B. Uffelman Address Dayville, ORE 97865

2. Source of Supply Marks Reeves Creek, Trib. of JOHN DAY RIVER

3. Amount of Water _____ Priority Date February 15, 1889

4. Use Irrigation

5. Proposed Point of Diversion ~~4650 feet North and 750 feet West from the East 1/4 corner of Section 12, being within the NE 1/4 NE 1/4 of Section 12, Township 13 South, Range 27 East,~~
W.M. 860'S 1/2 1000' W from NE COR SEC 12

6. Place of Use

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	
13 South	27 East	12	SW 1/4 NE 1/4	7.5 ac.	
" "	" "	"	SW 1/4 NE NW	5.7 ac.	
" "	" "	"	SW 1/4 NW NW	3.3 ac.	
" "	" "	"	SW 1/4 SE NW	21.3 ac.	
" "	" "	"	SW 1/4 NE SW	11.0 ac.	
" "	" "	"	SW 1/4 NW SE	8.3 ac.	

2525

INFO - MR. Uffelmann, showed us the new div. pt. He changed div. pts. so he could run sprinklers by gravity instead of flooding. He said it's ~~exactly~~ the same acreage as ~~before~~ was surveyed 30 yrs. ago by our office.

SOURCE - MARKS Creek

DIV. PT. - a rock dam diverts the water thru an 18" CMP into the ditch.

No pump. A pipe line from the end of the ditch is buried down thru the field

PIPE - Buried 4" x 6" main line from ditch thru field
4800' 3" Alum

HEADS - 120 ~~30~~ RB 30 $\frac{5}{32}$ -
(120 max) (72 this date)

LIFT - Avg 40# press. @ Heads

CROP - Barley, grey oats, alfalfa other years

TTE - NE COR SEC 12 (B.C.)

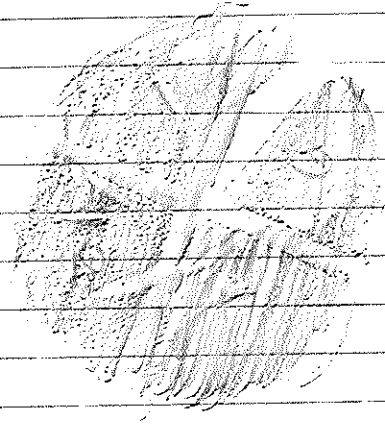
David Forby
F.E.

6-19-75

Handwritten notes on lined paper. The text is mostly illegible due to heavy scribbling and faint handwriting. Some faint characters are visible, including what appears to be "12" and "7" in a fraction-like structure.

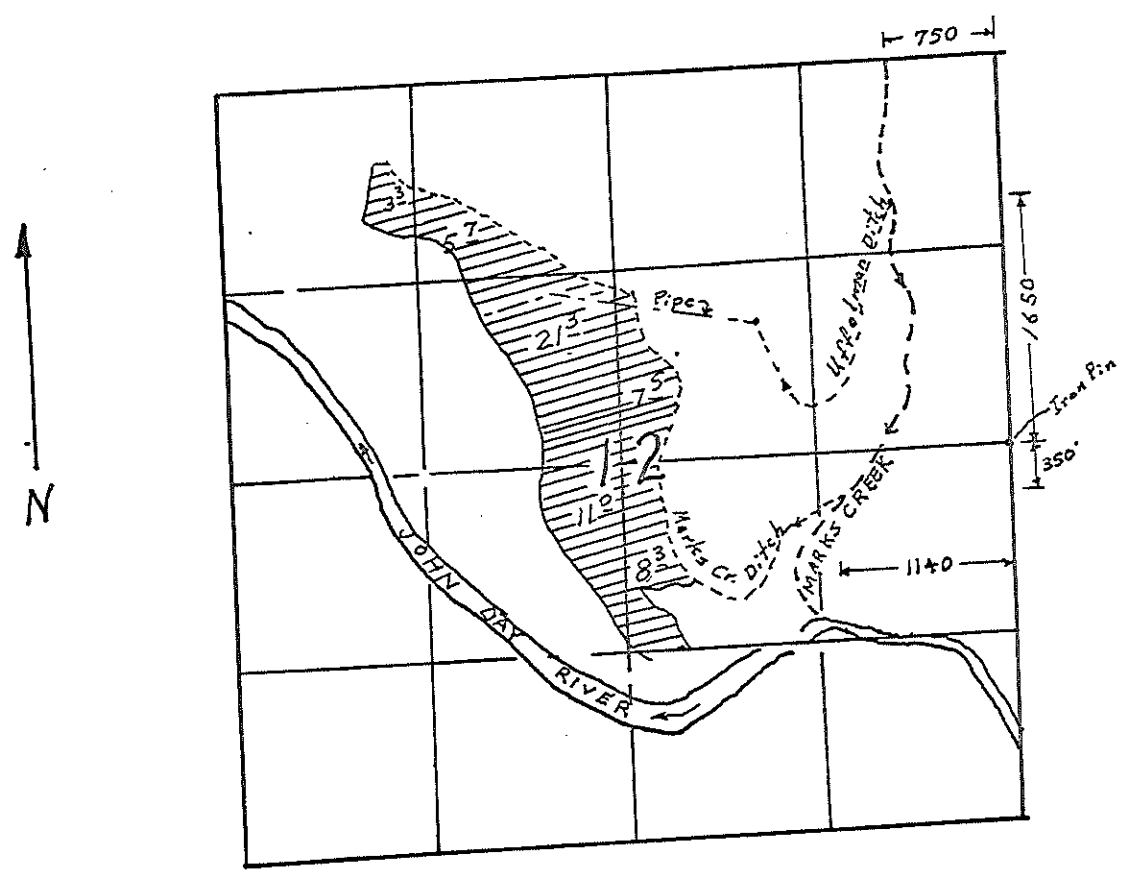
12

$\frac{12}{7}$



T13S., R27E., W.M.

RECEIVED
APR 30 1970
STATE ENGINEER
SALEM, OREGON



Scale: 4" = 1 mi.

Map Approved by: Edward B Ziffelman

BEFORE THE STATE ENGINEER OF OREGON

Grant County

IN THE MATTER OF THE APPLICATION)
OF EDWARD B. UFFELMAN FOR THE AP-)
PROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM MARKS)
REEVES CREEK)
-----)

ORDER APPROVING
TRANSFER NO. 2370

On April 30, 1970, Edward B. Uffelman filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Marks Reeves Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Grant County, Oregon, entered November 16, 1956, In the Matter of the Determination of the Relative Rights to the Use of the Waters of John Day River and its Tributaries, a water right was established in the name of Horace D. Stewart for the use of the waters of Marks Reeves Creek for the irrigation of 7.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 21.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 11.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, and 8.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 13 South, Range 27 East, W.M., with a date of priority of February 15, 1889, as evidenced by certificate recorded at page 25847, Volume 18, State Record of Water Right Certificates. These lands are irrigated by means of the Marks Creek Ditch from a point of diversion located 350 feet south and 1140 feet west from the SE corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$ being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 13 South, Range 27 East, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands by means of the Uffelman Ditch from a point of diversion to be located 1650 feet north and 750 feet west from the E $\frac{1}{4}$ corner of Section 12 being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 13 South, Range 27 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 Canyon City, Oregon, on July 16, 1970, at 9:30 a.m. The notice was published in the Blue Mountain Eagle, a newspaper printed and having general circulation in Grant County, Oregon, for a period of three weeks in the issues of May 21, 28, and June 4, 1970. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Howard Daggett, Watermaster of District No. 4, has filed a report to the effect that the proposed change in point of diversion of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of diversion of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from Marks Reeves Creek, to-wit:

From a point located 350 feet south and 1140 feet west from the SE corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$ being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 13 South, Range 27 East, W.M.

To a point to be located 1650 feet north and 750 feet west from the E $\frac{1}{4}$ corner of Section 12 being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 13 South, Range 27 East, W.M.

for the irrigation of 7.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 21.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 11.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, and 8.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 13 South, Range 27 East, W.M., with a date of priority of February 15, 1889, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1971.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion and shall not exceed 1/40 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 September 30, measured at point of diversion.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

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

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that certificate of water right heretofore issued to Horace D. Stewart and recorded at page 25847, Volume 18, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Edward B. Uffelmann confirming the change in point of diversion.

Dated at Salem, Oregon, this 30th day of November, 1970.

/s/ CHRIS L. WHEELER
State Engineer

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

Notice is given hereby that Edward B. Uffelman has filed an application for the approval of a change in point of diversion of water from Marks Reeves Creek.

In the John Day River Adjudication proceedings a water right was established in the name of Horace D. Stewart for the use of the waters of Marks Reeves Creek for the irrigation of 7.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 21.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 11.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 8.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, T. 13 S., R. 27 E., W.M., with a date of priority of February 15, 1889. These lands are irrigated by means of the Marks Creek Ditch from a point of diversion located 350 ft. S and ~~1140~~ ft. W from the SE corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$ being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12, T. 13 S., R. 27 E., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands by means of the Uffelman Ditch from a point of diversion to be located 1650 ft. N and 750 ft. W from the E $\frac{1}{2}$ corner of Sec. 12 being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 12, T. 13 S., R. 27 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Canyon City, Oregon, on July 16, 1970, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Edward B. Uffelman, Dayville, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 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 15th day of May, 1970.

CHRIS L. WHEELER
State Engineer

STATE ENGINEER'S RECEIPT

STATE OF OREGON

Salem, Ore., April 30 19670 Appl. 2370
 Per.
 Trsf.

Received from Edward B. Uffelman

\$ 25.00 Cash M.O. Check 55.00

Examination fees: Recording fees:

Surface water	\$ _____	\$ _____
Ground water	\$ _____	\$ _____
Transfer	\$ <u>15.00</u>	\$ <u>10.00</u>
		\$ _____
		\$ _____

Miscellaneous fees:

- Blueprinting
- Copying
- Certification \$ _____
- Misc. Recording
- Protest
- Extension of time

Publication of notice \$ _____

Quadrangle account \$ _____

Adjudication fee \$ _____

Power license fee \$ _____

..... \$ _____

Hydroelectric license fee \$ _____

..... \$ _____

..... \$ _____

Water Well Construction:

..... Exam. \$ _____ Lic. \$ _____

Certificate Recording fees:

..... \$ _____

..... \$ _____

Check # _____ \$ _____

All other.

..... \$ _____

18429

STATE ENGINEER

By [Signature]

Flalpakit © Moore Business Forms, Inc.

STATE ENGINEER'S RECEIPT

STATE OF OREGON

Salem, Ore. April 30 196 70 Appl.
 Per. 2370
 Trsf.

Received from Edward D. Hoffmann

\$ 30.00 Cash M.O. Check 55.00

Examination fees:	Recording fees:
Surface water \$ _____	\$ _____
Ground water \$ _____	\$ _____
Transfer \$ _____	\$ _____

Miscellaneous fees:

Blueprinting <input type="checkbox"/>	\$ _____
Copying <input type="checkbox"/>	
Certification <input type="checkbox"/>	\$ _____
Misc. Recording <input type="checkbox"/>	
Protest <input type="checkbox"/>	
Extension of time <input type="checkbox"/>	

Publication of notice \$ 30.00

Quadrangle account \$ _____

Adjudication fee \$ _____

Power license fee \$ _____

_____ \$ _____

Hydroelectric license fee \$ _____

_____ \$ _____

_____ \$ _____

Water Well Construction:

_____ Exam. \$ _____ _____ Lic. \$ _____

Certificate Recording fees:

_____ \$ _____

Check # _____ \$ _____

All other:

_____ \$ _____

18430

STATE ENGINEER

By Donald E. Ott

November 30, 1970

2370

Mr. Edward B. Uffelman
Dayville, Oregon 97825

Dear Mr. Uffelman:

Enclosed is a certified copy of the order of the State Engineer entered November 30, 1970, approving your application for a change in point of diversion of water from Marks Reeves 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, 1971.

Very truly yours,

Trevor Jones
Assistant

slv

Enclosures

cc: Mr. Howard Daggett
Watermaster District No. 4

June 18, 1970

2370

Blue Mountain Eagle
Post Office Box 48
John Day, Oregon 97845

Gentlemen:

Enclosed is our check No. 3675 in the amount of \$23.96
in payment of your statement of June 13, 1970.

Please receipt the enclosed statement and return it to
this office. Thank you.

Very truly yours,

Trevor Jones
Assistant

slv

Enclosures

AFFIDAVIT OF PUBLICATION

STATE OF OREGON

ss.

County of Grant

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

Notice is given hereby that Edward B. Uffelman has filed an application for the approval of a change in point of diversion of water from Marks Reeves Creek.

In the John Day River Adjudication proceedings a water right was established in the name of Horace D. Stewart for the use of the waters of Marks Reeves Creek for the irrigation of 7.5 acres in SW 1/4 NE 1/4, 6.7 acres in NE 1/4 NW 1/4, 3.3 acres in NW 1/4 NW 1/4, 21.3 acres in SE 1/4 NW 1/4, 11.0 acres in NE 1/4 SW 1/4 and 8.3 acres in NW 1/4 SE 1/4, Sec. 12, T. 13 S., R. 27 E., W.M., with a date of priority of February 15, 1889. These lands are irrigated by means of the Marks Creek Ditch from a point of diversion located 350 ft. S and 1140 ft. W from the SE corner of SE 1/4 NE 1/4 being within the NE 1/4 SE 1/4 of Sec. 12, T. 13 S., R. 27 E., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands by means of the Uffelman Ditch from a point of diversion to be located 1650 ft. N and 750 ft. W from the E 1/4 corner of Sec. 12 being within the NE 1/4 NE 1/4 of Sec. 12, T. 13 S., R. 27 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Canyon City, Oregon, on July 16, 1970, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Edward B. Uffelman, Dayville, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 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 15th day of May, 1970.

CHRIS L. WHEELER State Engineer

21-23

I, John R. Mooreau, 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

for a change in Point of Diversion of Water - Edward B. Uffelman, a printed copy of which is hereto attached, was published in the entire issue of said newspaper for three

successive and consecutive weeks in the following issues: _____

May 21, May 28 and June 4, 1970

John R. Mooreau
Subscribed and sworn to before me this 13th day of June

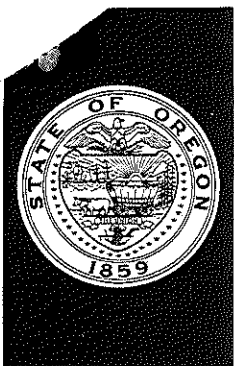
1970

Donna E. Morrison
Notary Public for Oregon

My commission expires May 20, 1973

Cost of this publication was \$ 23.46

RECEIVED JUN 17 1970 STATE ENGINEER SALEM OREGON



**STATE
ENGINEER**

RECEIVED
MAY 20 1970
STATE ENGINEER
SALEM, OREGON

WATER RESOURCES DEPARTMENT

P.O. BOX 261 • • CANYON CITY, OREGON • • 97820 • • Ph. 575-0119

May 19, 1970

FILE NO. 2370

TOM McCALL
GOVERNOR

CHRIS L. WHEELER
State Engineer

MR. CHRIS L. WHEELER, State Engineer
516 Public Service Building
Salem, Oregon 97310

Attention: Mr. Trevor Jones, Assistant

Dear Mr. Jones,

In my opinion Mr. Edward B. Uffelman's change in
point of diversion of water from Marks Reeves Creek
may be made without injury to existing rights.

Provision No. 2 should be incorporated in the order.

Very truly yours,

Howard Daggett
Watermaster Dist. No. 4

HD: hd

May 15, 1970

2370

Mr. Howard Daggett
Watermaster District No. 4
Post Office Box 261
Canyon City, Oregon 97820

Dear Mr. Daggett:

Enclosed is a copy of notice for publication in the May 21, 28, and June 4, 1970, issues of the Blue Mountain Eagle.

Would you please advise if, in your opinion, the proposed change in point of diversion may be made without injury to existing rights and which provision for the installation of measuring devices you feel should be incorporated in the order. Thank you.

Very truly yours,

Trevor Jones
Assistant

slv

Enclosure

May 15, 1970

2370

Blue Mountain Eagle
Post Office Box 48
John Day, Oregon 97845

Gentlemen:

Enclosed is a notice for publication in the May 21, 28,
and June 4, 1970, issues of your newspaper.

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

Upon completion, please forward an affidavit of pub-
lication and statement for this service to this office.

Very truly yours,

Trevor Jones
Assistant

slv

Enclosure
cc: Edward B. Uffelman

October 10, 1973

2370

Edward B. Uffelman
Dayville,
Oregon 97825

Dear Mr. Uffelman:

I have your notice advising that construction work has been completed under the provisions of the order of the State Engineer approving your application for 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. After this survey, proof may be made and certificate of water right issued covering the actual use of water as found by the engineer.

In case of irrigation, any lands described in the order that have not been irrigated will be automatically eliminated from the water right.

Also acknowledged is the \$1 check you submitted and our receipt No. 35463 is enclosed.

In the meantime, the order which you hold will be evidence of the water right in question as long as you continue the authorized beneficial use of water.

Very truly yours,

Trevor Jones
Assistant

TJ:st

RECEIVED

APR 30 1970

STATE ENGINEER
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Edward B. Uffelman
(Name of applicant)

of Dayville, County of Grant
(Postoffice)

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 Marks Reeves Creek
(Name of stream)
- 2. The use to which the water is applied is Irrigation
(Irrigation; Mining; Power; Manufacturing; etc.)
- 3. The name of the ditch, canal or pipe line is Marks Creek Ditch
- 4. The point of diversion is located 350 ft. S and 1140 ft. W from the SE
(N. or S.) (E. or W.)

corner of SE 1/4 NE 1/2 being within the NE 1/2 SE 1/2
(Section or subdivision)

of Section 12 Tp. 13 S R. 27 E W. M., in the County of Grant
(No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate 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	27E	12			7.5		5.7	3.3		21.3	11.0					8.3		

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

(Attach separate sheet if necessary)

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

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? Yes

8. What is the date of priority of your water right? February 15, 1889

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

of permit

10. Do you hold a water right certificate? Yes..... If so, give number of certificate 25847.....
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?
Yes..... If so, give title of proceedings Decree on John Day River Adjudication.....
(Yes or No)

12. Is the water right recorded in your name? Horace D. Stewart.....
(If not, give name)

13. 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: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located 1650 ft. N and 750 ft. W from the E $\frac{1}{2}$
(N. or S.) (E. or W.)
 corner of Sec. 12 being within the NE $\frac{1}{2}$ NE $\frac{1}{2}$ of Section 12 Tp. 13S R. 27E W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
 in the county of Grant The name of the ditch to be used is Uffelman Ditch

15. Are you the owner of the land on which the proposed point of diversion is to be located? Yes.....

16. 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.

17. Are there any diversions between your present point of diversion and the proposed point of diversion? No.....

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? No.....
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Mortgage	Dalton Stewart	\$92,000.00
	642 Hillcrest Drive, John Day, Oregon	
		97845

20. Reasons for the proposed changes are To gain elevation to gravity sprinkle same lands and better utilize water.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Grant } ss.

I, Edward B. Uffelman, 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 27 day of April, 19 70

Edward B. Uffelman
(Name of applicant)

Subscribed and sworn to before me this 27th day of April, 19 70

[Notarial Seal]

Howard Saggett
NOTARY PUBLIC FOR OREGON

My commission expires 12-10-73

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.