

DESCRIPTION OF WATER RIGHT

Name of stream John Day River
Trib. of — County of Grant
Use Irrigation
Quantity of water _____ No. of acres 40
Name of ditch Upper McHaley
Date of priority 1870
In name of R. R. McHaley
John Day River Adjudication, Vol. _____, page 555
App. No. _____ Per. No. _____ Cert. No. 25520
Certificate cancelled _____
Notation made on record by sh

REMARKS

FEES PAID

Date	Amount	Receipt No.
8-30-71	55.00 (30 th P.O.N. - transferred 9-10-71)	25339
TOTAL . . .	\$2. \$1 Cert. Fee	from Pub. & Post
12-22-71		

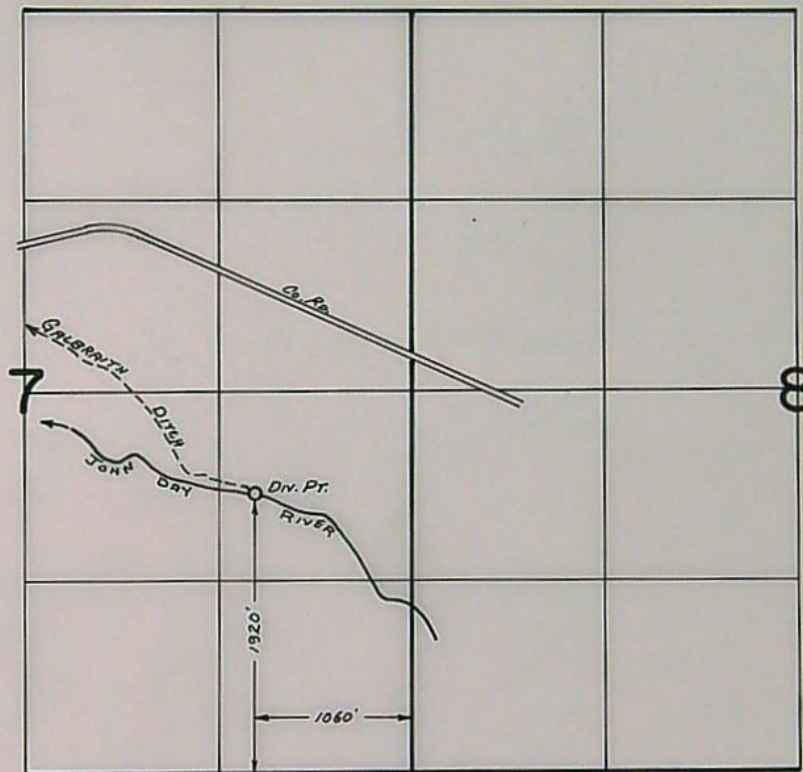
FEES REFUNDED

Date	Amount	Check No.
12-22-71	* 7.53 Pubg Not.	4513
T-10001		

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/>	Name	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Stream	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Pt. of Div.	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Calendar	<input type="checkbox"/>	<input type="checkbox"/>
	CHECKED TO RECORDS:		
<input checked="" type="checkbox"/>	Twp. & Rge.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Decree-vault	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Decree-safe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Cert. of W/R	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Per. Folder	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Chaindex	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Cross Ref.	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Power Claim	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Abstracts	<input type="checkbox"/>	<input type="checkbox"/>

SP*44048-11

T.13S.,R.34E.,W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 2566
Application No. Permit No.
IN NAME OF

..... **ROBERT JOHNSON**

Surveyed Aug. 27, 1981, by S. C. BROWN.....

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Robert Johnsonof P.O. Box 21, Prairie City, State of Oregon 97869, has a right to the use ofthe waters of John Day River trib Columbia Riverfor the purpose of Irrigation 4.0 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 441; that the priority of the right thereby confirmed dates from 1870

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 from April 1 to Sept. 30; further limited to one acre-foot per acre per calendar month to July 1 and 1/4 acre-foot per acre thereafter; total five acre-feet per acre for season, 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:

D.O. PT

NEX 4 SE 1/4 Section 7, T. 13 S., R. 34 E., W. 11; 1920' N. 1/2
1060' W. from SE Corner Section 7

1.8 2.0 acres in Block
1.5 4.0 acres in Block
0.7 2.0 acres in Block
Section 2,
T. 13 S., R. 33 E., N. N.

(NOTE: This land has a supplemental supply from Slaughter House Guleh under numerous unnamed ditches with priority of 1872.)

C-57587

1CLAUSE:

This certificate is issued to confirm a change in POD approved by an order of the Water Resources Director entered 1/27/72, and together with certificate 38303 State Record of Water Right Certificates, supersedes certificate 25526.

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

T= 2566

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **R. R. McHALEY**

of P. O. Box 51, Prairie City, State of Oregon, has a right to the use of the waters of John Day River

a tributary of Columbia River for the purpose of irrigation of 5.0 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 1870

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 one-fortieth cubic foot per second per acre irrigated from April 1 to September 30; further limited to one acre foot per acre per calendar month to July 1 and three-fourth acre foot per acre thereafter; total five acre feet per acre for season, measured at point of diversion

The point of diversion is located in the NW 1/4 SW 1/4, Section 7, T. 13 S., R. 34 E., W. M. Diversion point located: 3050 feet South and 370 feet East from NW Corner, Section 7. A description of the place of use under the right, and to which such right is appurtenant, is as follows:

0.2 acre NW 1/4 SE 1/4

2.5 acres SW 1/4 SE 1/4

2.3 acres SE 1/4 SE 1/4

Section 2

T. 13 S., R. 33 E., W. M.

(NOTE: This land has a supplemental supply from Slaughter House Gulch under numerous unnamed ditches with priority of 1872.)

Certificate of water right issued to R. R. McHaley and recorded at page 25526, Volume 17, State Record of Water Right Certificates, confirms the right to the use of water for irrigation of 9.0 acres. Subsequently, the change in point of diversion for the irrigation of 4.0 acres was approved by order of the State Engineer entered January 27, 1972. This certificate is issued to confirm the remaining right to the use of water for irrigation and supersedes the certificate heretofore issued to R. R. McHaley.

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 date March 27, 1972

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 30, page 38303

Grant County

IN THE MATTER OF THE APPLICATION)
OF R. O. STANCLIFF FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM JOHN DAY RIVER)

ORDER APPROVING
TRANSFER NO. 2566

On August 30, 1971, R. O. Stancliff filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from John Day River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to R. R. McHaley and recorded at page 25526, Volume 17, State Record of Water Right Certificates, confirmed a right to the use of not to exceed 0.225 cubic foot per second of water from John Day River for the irrigation of among other lands, .7 of an acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, 1.50 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 1.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 13 South, Range 33 East, W.M., with a date of priority of 1870. These lands are irrigated by means of the Upper McHaley Ditch from a point of diversion located 3050 feet south and 370 feet east from the NW corner of Sec. 7 being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 7, Township 13 South, Range 34 East, W.M.

The applicant herein, owner of the lands above described proposes to divert the water for irrigation through Galbraith Ditch from a point of diversion to be located 3250 ft. South and 3950 feet E from the NW corner of Section 7, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Township 13 South, Range 34 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 at Canyon City, Oregon, on January 26,

1972, at 9:30 a.m. The notice was published in the Grant County Blue Mountain Eagle, a newspaper printed and having general circulation in Grant County, Oregon, for a period of three weeks in the issues of December 2, 9, & 16, 1971. 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 may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from John Day River, to-wit:

From a point located 3050 feet South and 370 feet East from the NW corner of Section 7, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, Township 13 South, Range 34 East, W.M.

To a point to be located 3250 feet South and 3950 feet East from the NW corner of Section 7, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Township 13 South, Range 34 East, W.M.

for the irrigation of .7 of an acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, 1.50 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 1.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 13 South, Range 33 East, W.M., with a date of priority of 1870, 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, 1972.

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 0.10 cubic foot per second.

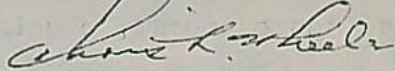
It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

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 R. R. McHaley and recorded at page 25526, Volume 17, State Record of Water Right Certificates is canceled and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding 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 R. O. Stancliff confirming the change in point of diversion.

Dated at Salem, Oregon, this 27th day of January, 1972.


/s/ CHRIS L. WHEELER
State Engineer
October 31, 1906, and December 2, 1907, being included in the name of said Hollingshead which was transferred to the said McHaley Section 27, Township 19 South, Range 12 East, without loss of priority of order of the State Engineer, entered June 1, 1961.

AFFIDAVIT OF PUBLICATION

STATE OF OREGON

County of Grant

ss.

I, JR Moreau, 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 - R.O. Stancliff, a printed copy of which is hereto at-

tached, was published in the entire issue of said newspaper for Three

successive and consecutive weeks in the following issues: _____

December 2, December 9
and December 16, 1971

Subscribed and sworn to before me this 18th day of December, 1971

Donna E. Moreau
Notary Public for Oregon

My commission expires May 20, 1973

Cost of this publication was \$ 20.47

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

Notice is given hereby that R. O. Stancliff has filed an application for the approval of a change in point of diversion of water from John Day River.

In the John Day River Adjudication proceedings, a water right was established in the name of R. R. McHaley for the use of the waters of John Day River for the irrigation of, among other lands, 1.8 acres in NW 1/4 SE 1/4, 1.5 acres in SW 1/4 SE 1/4, and 0.7 acre in SE 1/4 SE 1/4, Sec. 2, T. 13 S., R. 33 E., W.M., with a date of priority of 1870. These lands are irrigated by means of the Upper McHaley Ditch from a point of diversion located 3050 feet south and 370 feet east from the NW corner of Sec. 7 being within the NW 1/4 SW 1/4 of Sec. 7, T. 13 S., R. 34 E., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands by means of the Galbraith Ditch from a point of diversion to be located 3250 ft. S and 3950 ft. E from the NW corner of Sec. 7 being within the NW 1/4 SE 1/4 of Sec. 7, T. 13 S., R. 34 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Canyon City, Oregon, on January 26, 1972, 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 R. O. Stancliff, P. O. Box 277, Prairie City, 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. Administrative rules pertaining to the filing of a protest will be furnished by the State Engineer upon request.

Dated at Salem, Oregon, this 22nd day of November, 1971.

CHRIS L. WHEELER
State Engineer

48-50

RECEIVED
DEC 22 1971
STATE ENGINEER
SALEM, OREGON

