

3378

3378 Edward Hoffman  
Dunbar  
Oregon 97825

## STATUS OF APPLICATION

Change in add'l point of diversion  
 Date filed 3-22-76  
 Date of hearing June 8, 1976  
 Place of hearing John Day  
 Date of order 7-6-76 Vol. 27, page 295  
 Date for application of water 10-1-77  
 Proof mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Remaining R+ Certificate issued OCT 18 1976 Vol. 35, page 43751

## DESCRIPTION OF WATER RIGHT

Name of stream John Day River  
 Trib. of \_\_\_\_\_ County of Grant  
 Use irrigation and supplemental irrigation  
 Quantity of water \_\_\_\_\_ No. of acres 1260  
 Name of ditch \_\_\_\_\_  
 Date of priority 1906 for supplemental irrigation  
March 1st, 1906 for primary irrigation  
 In name of Herace D. Stewart  
John Day River Adjudication, Vol. 10, page 606  
 App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 25851  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by in DB

## FEES PAID

Date	Amount	Receipt No.
3-22-76	\$35.00	52076
3-21-76	\$45.00 P.O.N.	52077
TOTAL . . .	\$4.00	FROM
5-24-76	Cert. Fee	52077

200 Vaid on C# 43751  
 See T# 3593 re other #2-

## FEES REFUNDED

Date	Amount	Check No.
5-24-76	\$4.83	593

## REMARKS

Location of new, additional POD established per order, as confirmed by W/M, see letter 9-14-77  
 See T# 3593 re subsequent Δ POD & POU under this right

FINIS

SEE T-4861, Additional POD

W.R.I.S.	676-84, 500
Assembled	_____
Entered	_____
Verified	_____

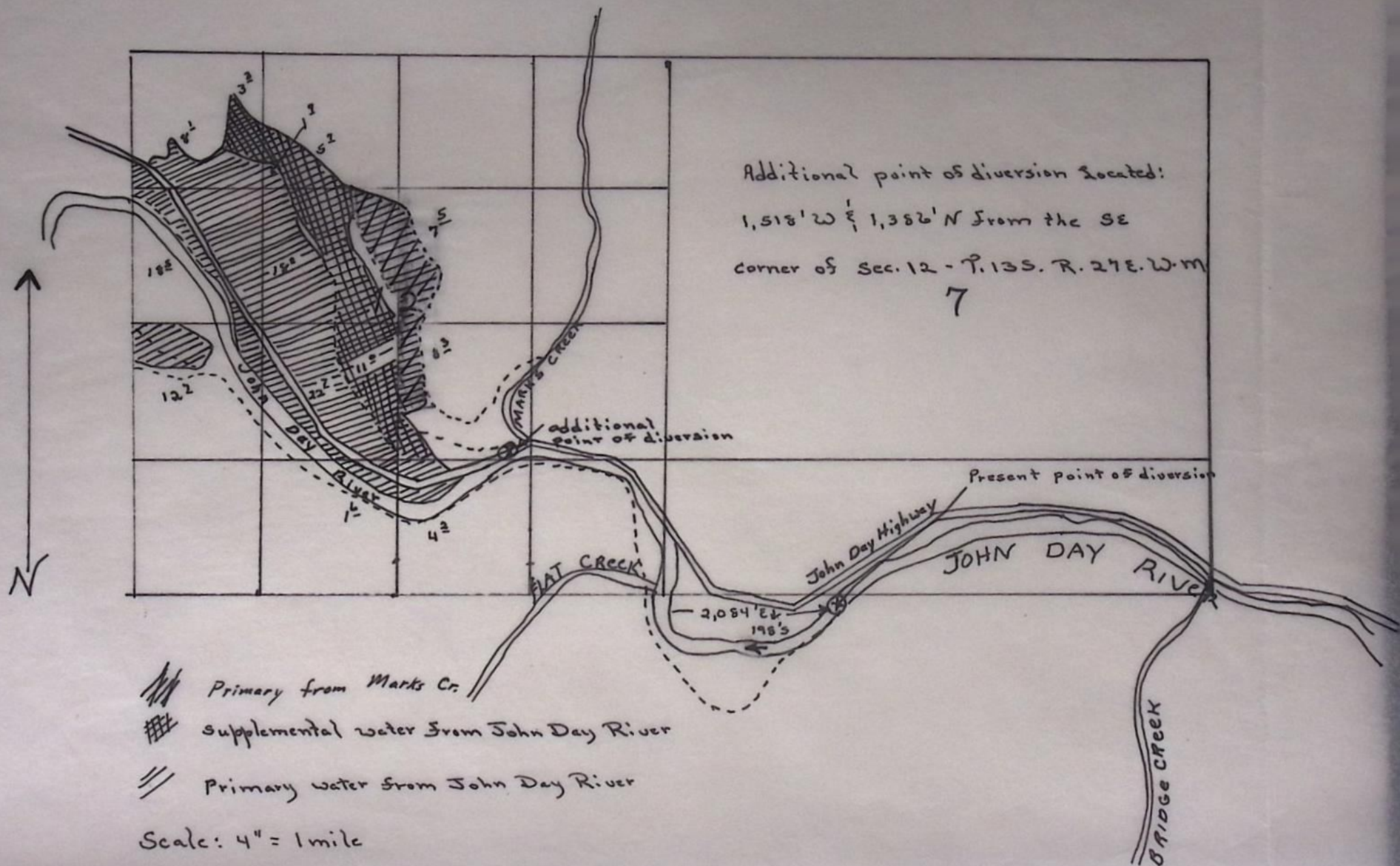
TO BE ENTERED WHERE CHECKED

INDEX CARDS:	Entered	Checked
WA Name	✓	_____
WA St.	✓	_____
WA Pl. & Div.	✓	_____
WA Calendar	✓	_____
CHANGED TO RECORDS:		
✓ Typ. & Lge.	✓	_____
✓ Deed & vault	✓	_____
✓ Deed & case	✓	_____
✓ Cert. of W/R	✓	_____
Per. folder	_____	_____
Ch. of	_____	_____
Ch. of	_____	_____
Per. aim	_____	_____
Abstracts	_____	_____



T-3378

# Additional Point of Diversion Application Map For Edward Uffleman





T.13S., R. 27 & 28 E., W.M.

RECEIVED

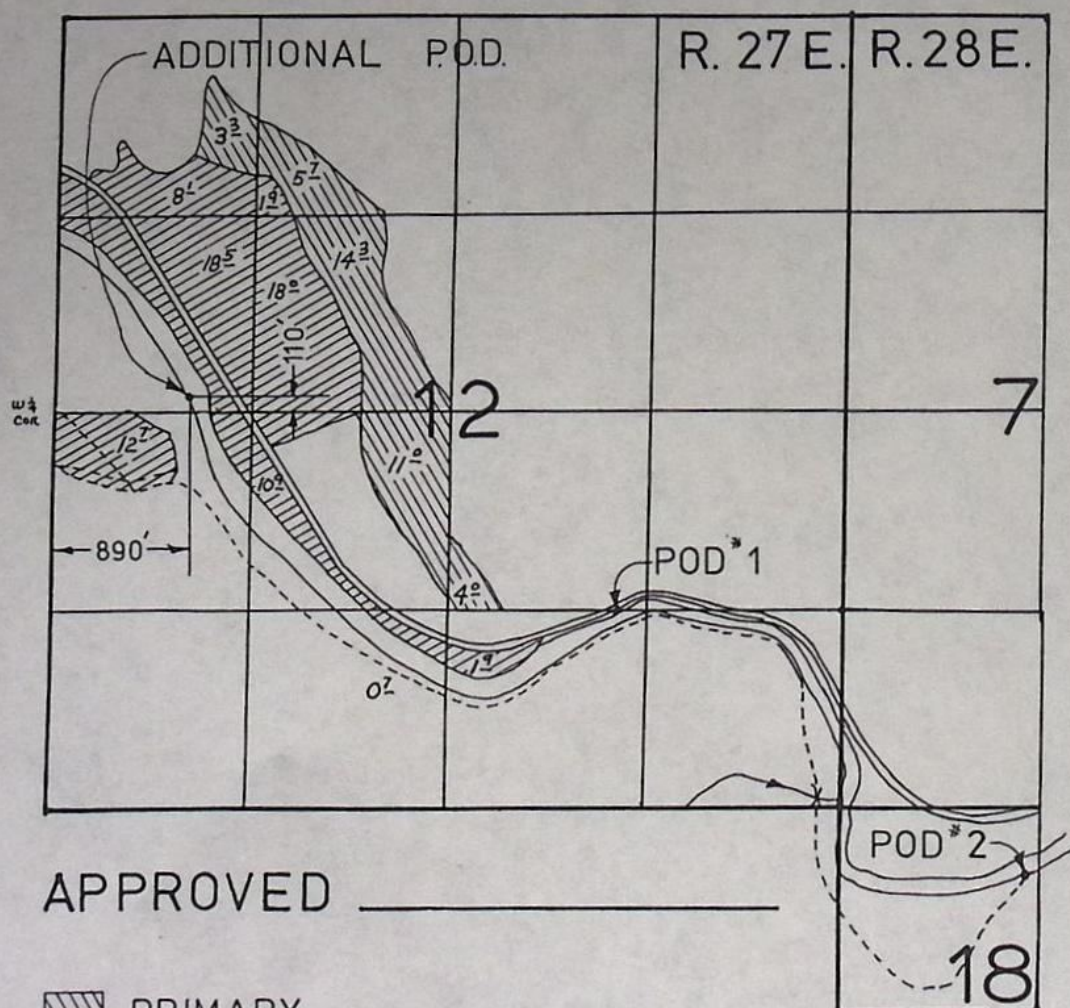
AUG 10 1981

TRANSFER APPLICATION MAP FOR

WATER RESOURCES DEP  
SALEM, OREGON

T-4861

FREDERICK K. ROBERTSON





BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Grant County

IN THE MATTER OF THE APPLICATION }  
OF EDWARD UFFLEMAN FOR THE APPROVAL }  
OF AN ADDITIONAL POINT OF DIVERSION }  
OF WATER FROM JOHN DAY RIVER }  
-----

ORDER APPROVING  
TRANSFER NO. 3378

On March 22, 1976, Edward Uffleman filed an application in the office of the Water Resources Director for the approval of an additional 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 Horace D. Stewart recorded at Page 25851, Volume 17, State Record of Water Right Certificates, confirms a right to the use of the waters of John Day River for the supplemental irrigation of 5.7 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 3.3 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 14.3 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 11.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 4.0 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 1906, and for the irrigation of 1.9 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 8.1 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 18.5 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 18.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 22.7 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 12.7 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 1.6 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  and 4.2 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 12, Township 13 South, Range 27 East, W.M., with a date of priority of March 14, 1906.

These lands are irrigated from a point of diversion located 198 feet South and 2084 feet East from the Southeast corner of Section 12, Township 13 South, Range 27 East, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 18, Township 13 South, Range 28 East, W.M.

The applicant herein, owner of the lands above described, proposes to establish an additional point of diversion for the irrigation of the above lands at a point to be located 1386 feet North and 1518 feet West from the Southeast corner of Section 12, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , 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 additional point of diversion of water, if any there were, namely: at the county courthouse in John Day, Oregon, on June 8, 1976, 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 April 15, 22 and 29, 1976. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Robert Main, Watermaster of District No. 4, has filed a report to the effect that the establishment of the additional point of diversion of water may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the applicant be allowed to utilize the existing point of diversion of water from the John Day River located:

198 feet South and 2084 feet East from the Southeast corner of Section 12, Township 13 South, Range 27 East, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 18, Township 13 South, Range 28 East, W.M.

and to establish an additional point of diversion from the John Day River to be located:

1386 feet North and 1518 feet West from the Southeast corner of Section 12, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 12, Township 13 South, Range 27 East, W.M.

for the supplemental irrigation of 5.7 acre in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 3.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 14.3 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 11.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 4.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 12, Township 13 South, Range 27 East, W.M., with a date of priority



of 1906, and for the irrigation of 1.9 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 8.1 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 18.5 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 18.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 22.7 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 12.7 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 1.6 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  and 4.2 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 12, Township 13 South, Range 27 East, W.M., with a date of priority of March 14, 1906.

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, 1977.

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.

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 the certificate of water right heretofore issued to Horace D. Stewart and recorded at Page 25851, Volume 17, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the right not involved in this proceeding, and upon receipt of proof satisfactory to the Water Resources Director of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Edward Uffleman confirming the change in point of diversion.

Dated at Salem, Oregon, this 6th day of July, 1976.

/s/ JAMES E. SEXSON  
Director



## STATE OF OREGON

COUNTY OF GRANT

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

HORACE D. STEWART

of Dayville

a right to the use of the waters of  
John Day River

, State of Oregon, 97825 , has

a tributary of Columbia River  
development of 12 horsepower

for the purpose of

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 WATER RESOURCES DIRECTOR, in Volume 15 , at page 461 ; that the priority of the  
right thereby confirmed dates from 1906.

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 5.0 cubic feet per  
second

The point of diversion is located in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 18, T. 13 S., R. 28 E., W. M.,  
198 feet South and 2084 feet East from the SE Corner of Section 12, T. 13 S.,  
R. 27 E., W. M.

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

NW $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 12  
T. 13 S., R. 27 E., W. M.

This certificate describes that portion of the water right confirmed by the prior  
certificate recorded at Page 25851, Volume 17, State Record of Water Right  
Certificates, NOT modified by the provisions of an order of the Water Resources  
Director entered on July 6, 1976, approving transfer application No. 3378.

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

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., and is subject to the existing minimum flow policies established  
by the Water Policy Review Board. WITNESS the signature of the Water Resources Director, affixed

this date October 18, , 19 76 .

James E. Sexson

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 35 , page 43751

1 R.R.

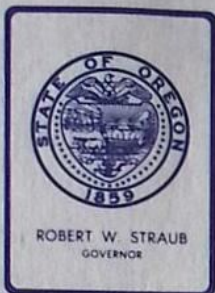


3-21-78

County GRANT

- [illegible]





**Water Resources Department**  
**MILL CREEK OFFICE PARK**

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

January 12, 1978

Edward Uffleman  
Dayville, OR 97825

RECEIVED

JAN 20 1978

WATER RESOURCES DEPT  
SALEM, OREGON

RE: File No. T- 3378

Dear Mr. Uffleman:

The time allowed for the completion of the additional point of diversion of water from John Day River, proposed by your water right transfer application No. 3378, expired on October 1, 1977.

If the authorized change was accomplished on or before said date, please fill out and sign the statement of completion at the bottom of this letter and send it to us.

If you were unable to fully accomplish the change within the time allowed, but were dilligently working on it and, therefore, you want to apply for an extension of the time limit, check the box at the very bottom of this letter to request the proper application form.

Sincerely,

*James W. Carver Jr.*  
James W. Carver, Jr.  
Engineer

JWC:lcj

STATEMENT OF COMPLETION

I hereby certify that completion of works and use of water to the extent intended within the provisions of the order of the Water Resources Director approving water right transfer application No. 3378 was accomplished by September 1, 1977

*one*  
*one*  
1-15-1978  
Date

*Edward B Uffelman*  
Signature

☐ Please send form for application for extension of time limit.



RECEIVED

MAR 22 1976

WATER RESOURCES DEPT.  
SALEM, OREGON

## Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Edward Uffleman  
(Name of applicant)of Dayville, County of Grant  
(Postoffice)State of Oregon 97825, do hereby make application for change additional point of diversion

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

1. The source of present water right is John Day River  
(Name of stream)2. The use to which the water is applied is irrigation and supplemental irrigation  
(Irrigation; Mining; Power; Manufacturing; etc.)3. The name of the ditch, canal or pipe line is \_\_\_\_\_  
present4. The point of diversion is located 198 ft. S. and 208 1/2 ft. E. from the SE  
(N. or S.) (E. or W.)corner of Section 12, T. 13 S. R. 27 E. being within the NE 1/4 of Section 18  
(Section or subdivision)of Section 18 Tp. 13 S. R. 28 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.	27	12			7.5		7.6	11.4	32.3		12.7			1.6		4.0	4.2	
							5.2	3.3		14.3	11.0					1.0		
							1.2	8.1	18.5	18.0	22.2	12.2		1.6			4.2	

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? Yes8. What is the date of priority of your water right? 1889 and 1906  
(supplemental) & (primary) March 14, 19069. 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 C-25847 & 25851  
(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 adjudication proceedings  
(Yes or No)

12. Is the water right recorded in your name? No Horace 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 additional proposed point of diversion is located 1,386 ft. N and 1518 ft. W from the SE corner of Sec. 12 being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 12 Tp. 13 S. R. 27 E. W. M.,  
(Smallest legal subdivision) (N. or S.) (E. or W.)  
in the county of Grant The name of the ditch to be used is

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.? Yes  
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are need a pumping capability for times of low flow.



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 18<sup>th</sup> day of March, 1976.

Edward B. Uffelman  
(Name of applicant)

Subscribed and sworn to before me this 18<sup>th</sup> day of March, 1976.

[Notarial Seal]

Robert F. Main  
NOTARY PUBLIC FOR OREGON

My commission expires April 1, 1979

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.





## WATER RESOURCES DEPARTMENT

GRANT COUNTY COURTHOUSE

P.O. BOX 261

CANYON CITY, OR

97820

Phone 575-0119

ROBERT W. STRAUB  
GOVERNOR

Sept. 14, 1977

JAMES E. SEXSON  
Director

James W. Carver Jr.

RECEIVED

SEP 15 1977

WATER RESOURCES DEPT  
SALEM, OREGON

WATER POLICY REVIEW  
BOARD

EMERY N. CASTLE  
Chairman  
Corvallis

Dear Jim:

CHAPIN D. CLARK  
Vice Chairman  
Eugene

This is in answer to your letter of May 18, 1977 concerning T-3378 and T-3593.

GEORGE H. PROCTOR  
Klamath Falls

The new point of diversion proposed in T-3378 has been completed. It was established in July, 1977 and has been used the latter part of this season.

ANN W. SQUIER  
Portland

RICHARD ROY  
Portland

JAMES HILL  
Arch Cape

JEAN FROST  
Portland

The correct location of the original authorized point of diversion for C-25851 is that given in T-3593 (260ft.S. , 1520ft. E. etc).

In my opinion, the transfer proposed in T-3593 can be made without injury to other rights. I recommend provision 2.

Sorry this took so long. The standard excuses apply.

Yours truly

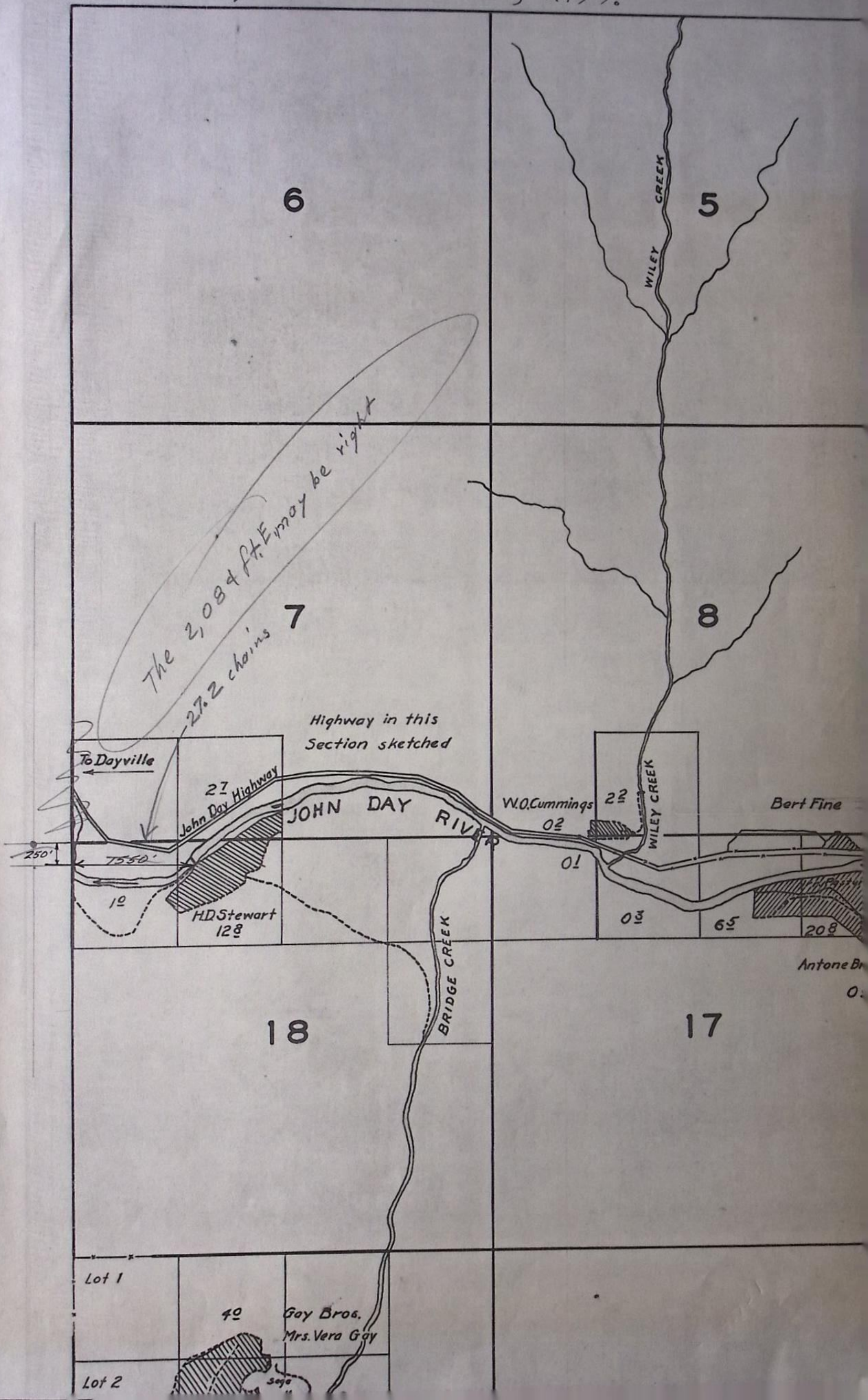
RFM/cda

*Bob Main*

Bob Main  
Watermaster Dist. #4



To. 13 S., R 28 E., W. M.





# AFFIDAVIT OF PUBLICATION

STATE OF OREGON

County of Grant

SS.

I, James, being first duly sworn, depose and say that I am the owner, editor, publisher, manager, principal clerk of THE 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 - Additional Point of Diversion of water - Edward 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: \_\_\_\_\_

April 15, April 22 and April 29, 1976

Subscribed and sworn to before me this 2<sup>nd</sup> day of May, 1976.

Donna E. Moreau  
Notary Public for Oregon

My commission expires May 20, 1977

Cost of this publication was \$ 36.17

(Seal)

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MAY - 4 1976

WATER RESOURCES DEPT.  
SALEM, OREGON



## NOTICE OF FILING APPLICATION FOR AN ADDITIONAL POINT OF DIVERSION OF WATER

Notice is given hereby that Edward Uffelman has filed an application for the approval of an additional point of diversion of water from John Day River.

Certificate of water right issued to Horace D. Stewart recorded at page 25851, Vol. 17, State Record of Water Right Certificates, confirms a right to the use of the waters of John Day River for the supplemental irrigation of 5.7 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 3.3 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 14.3 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 11.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 4.0 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 1906, and for the irrigation of 1.9 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 8.1 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 18.5 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 18.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 22.7 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 12.7 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 1.6 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  and 4.2 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 12, T. 13 S., R. 27 E., W.M., with a priority date of March 14, 1906.

These lands are irrigated from a point of diversion located 198 feet S. and 2084 ft. E. from the SE corner of Sec. 12, T. 13 S., R. 27 E., being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Sec. 18, T. 13 S., R. 28 E., W.M.

The applicant herein, owner of the lands above described, proposes to establish an additional point of diversion for the irrigation of the above lands at a point located 1386 ft. N. and 1518 ft. W. from the SE corner of Sec. 12, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  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 June 8, 1976, 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 Uffelman, Dayville, Oregon 97825, and one copy filed with the Water Resources Director, Salem, Oregon, together with a \$10 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 Water Resources Director without a hearing. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Director upon request.

Dated at Salem, Oregon, this 5th day of April, 1976.

JAMES E. SEXSON  
Director  
16-18





STATE OF OREGON

INTEROFFICE MEMO

TO: Trevor Jones

DATE: April 9, 1976

FROM: Bob Main

SUBJECT: T-3378

This transfer will not injure existing rights. There are no diversions between the existing point of diversion and the proposed additional point of diversion.

*Bob Main*

**RECEIVED**  
APR 12 1976  
WATER RESOURCES DEPT.