

3593

## STATUS OF APPLICATION

Change in POU & POD  
 Date filed 3-18-77  
 Date of hearing \_\_\_\_\_  
 Place of hearing \_\_\_\_\_  
 Date of order 9-22-77 Vol. 29, page 351  
 Date for application of water 10-1-79  
 Proof mailed JUN 11 1982 December 15, 1981  
 Proof received \_\_\_\_\_  
 Certificate issued \_\_\_\_\_ Vol. 45, page 51186  
SEP 3 1982  
DEC 4 1984 47 52554

Note: when setting up for survey  
 request inspection of power  
usage.

## DESCRIPTION OF WATER RIGHT

Name of stream John Day River  
 Trib. of \_\_\_\_\_ County of Grant  
 Use power, irrigation & supp. irrigation  
 Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_  
 Name of ditch River Ditch  
 Date of priority \_\_\_\_\_  
 In name of \_\_\_\_\_  
John Day Findings Adjudication, Vol. 10, page 606  
 App. No. 52554 Per. No. \_\_\_\_\_ Cert. No. (25851)  
T#3378  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by JUD

## FEES PAID

Date	Amount	Receipt No.
<u>3-18-77</u>	<u>45.00</u>	<u>59154</u> <u>OK</u>
TOTAL . . .		<u>2 Cert. Fee</u> <u>on T#3378 transferred from PON Rec# 52077</u>

## FEES REFUNDED

Date	Amount	Check No.
Exam	20	
POU	10	
POD	15	
	<u>45-</u>	

## REMARKS

SEE T-4861

W.R.I.S.

Assembled 6-26-87 by SAB

Entered \_\_\_\_\_ by \_\_\_\_\_

Verified \_\_\_\_\_ by \_\_\_\_\_

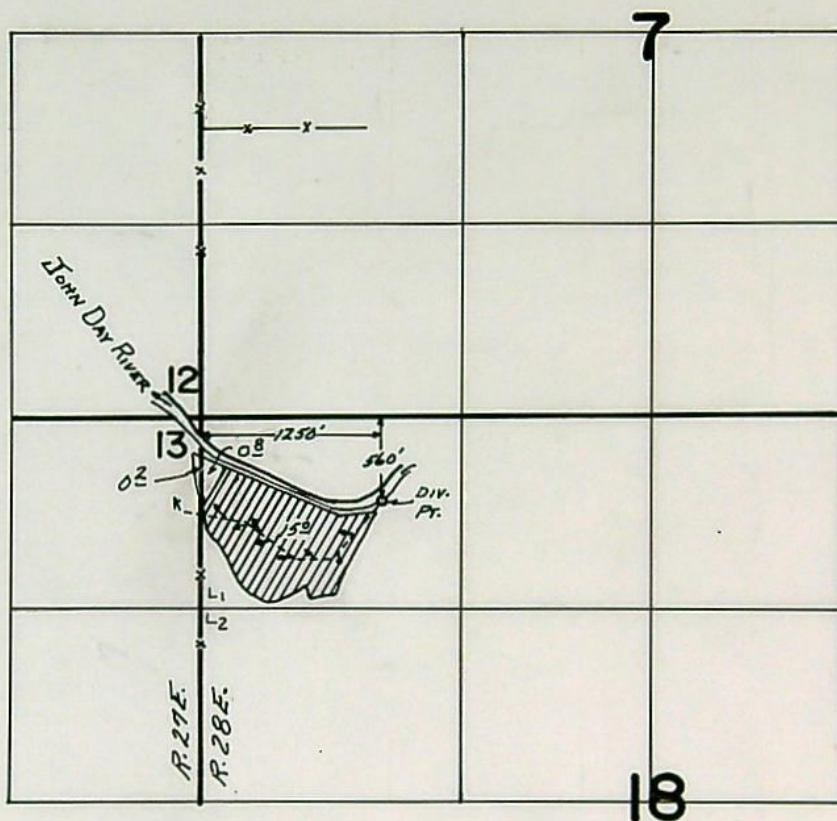
TO BE ENTERED WHERE CHECKED

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

Find. Robertson



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



**FINAL PROOF SURVEY**  
UNDER

TRANSFER No. 3593  
Application No. .... Permit No. ....  
IN NAME OF

..... EDWARD B. UFFELMAN .....

Surveyed June 15, 1978, by J.S. Donaldson....



## STATE OF OREGON

COUNTY OF

GRANT

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

FREDERICK K. ROBERTSON

of Route 1, Box 981, Dayville  
a right to the use of the waters of John Day River

, State of Oregon 97825 , has

a tributary of Columbia River  
irrigation of 15.0 acres

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 March 14, 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 1/40 cubic foot per second per acre irrigated from April 1 to September 30; further limited to 1 acre-foot per acre per calendar month to July 1 and 3/4 acre-foot per acre thereafter; total 5 acre-feet per acre for season, measured at point of diversion

The point of diversion is located in the NW 1/4 SE 1/4, Section 12, T13S, R27E, WM; NW 1/4 NW 1/4, Section 18, T13S, R28E, WM; 1,386 feet North and 1,518 feet West, 560 feet South and 1,250 feet East both from SE Corner, Section 12, T13S, R27E, WM

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

15.0 acres Lot 1 (NW 1/4 NW 1/4)  
Section 18  
Township 13 South, Range 28 East, WM

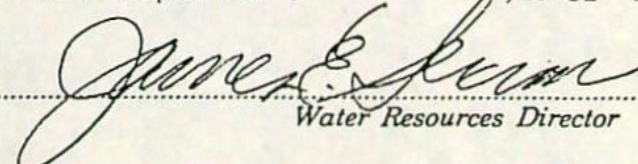
This certificate is issued to confirm a change in place of use and point of diversion approved by an order of the Water Resources Director entered September 22, 1977 and together with an order approving Transfer 4861 supersedes Certificate of Water Right recorded at page 25861, Volume 17, State Record of Water Right Certificates.

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.

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

WITNESS the signature of the Water Resources Director, affixed

this date September 3 , 19 82 .

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 45 , page 51186



## STATE OF OREGON

COUNTY OF GRANT

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

FREDERICK K. ROBERTSON

of Route 1, Box 981, Dayville, State of Oregon 97825, has  
a right to the use of the waters of John Day River

a tributary of Columbia River for the purpose of  
irrigation of 15.0 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 WATER RESOURCES DIRECTOR, in Volume 15, at page 461; that the priority of the right thereby confirmed dates from March 14, 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 1/40 cubic foot per second per acre irrigated from April 1 to September 30; further limited to 1 acre-foot per acre per calendar month to July 1 and 3/4 acre-foot per acre thereafter; total 5 acre-feet per acre for season, measured at point of diversion

The point of diversion is located in the NW 1/4 SE 1/4, Section 12, T13S, R27E, WM; NW 1/4 NW 1/4, Section 18, T13S, R28E, WM; 1,386 feet North and 1,518 feet West, 560 feet South and 1,250 feet East both from SE Corner, Section 12, T13S, R27E, WM

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

15.0 acres Lot 1 (NW 1/4 NW 1/4)  
Section 18  
Township 13 South, Range 28 East, WM

This certificate is issued to supersede certificate of water right recorded at page 51186, Volume 45, State Record of Water Right Certificates which should have superseded Certificate 25851.

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.

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

WITNESS the signature of the Water Resources Director, affixed

this date December 4, 1984.

/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 47, page 52554



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
GRANT COUNTY

IN THE MATTER OF THE APPLICATION OF )  
EDWARD B. UFFELMAN FOR APPROVAL OF )  
CHANGES IN PLACE OF USE AND POINT OF )  
DIVERSION OF WATER FROM JOHN DAY RIVER )  
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ORDER APPROVING  
TRANSFER NO. 3593

On March 18, 1977, an application was filed in the office of the Water Resources Director by Edward B. Uffelman for changes in place of use and point of diversion under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

As modified in accord with the provisions of the order of the Water Resources Director, entered on July 6, 1976, approving transfer application No. 3378, the right previously described by the certificate recorded at page 25851, Volume 17, State Record of Water Right Certificates, now exists for the appropriation of water from John Day River for 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 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 two points of diversion located:

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

(2) 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.

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P357-359



The applicant herein, owner of the lands above described, proposes to sever the right for primary irrigation from a certain 11.8 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 0.9 acre in SE $\frac{1}{4}$  SW $\frac{1}{4}$  and 2.3 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 12, Township 13 South, Range 27 East, W.M. and, without loss of priority, to irrigate in lieu thereof a certain 15.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 18, Township 13 South, Range 28 East. W.M.

Also, the applicant proposes to maintain use of the point of diversion at location No. 2, as described above, and to change the point of diversion from the location No. 1, as described above, to a new point located 430 feet South and 1250 feet East from the Northwest corner of Section 18, being within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 18.

Mr. Robert F. Main, Jr., Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights,

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

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use and point of diversion as described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install head-gates 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 construction work shall be completed and the change in point of diversion of water made and said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 22nd day of September, 1977.

/s/ James E. Sexson  
Director



## STATE OF OREGON

superceded by

Cert. No. \_\_\_\_\_

COUNTY OF GRANT

Sp. Or. V. 27, p. 295  
(T. 3378)

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That HORACE D. STEWART

of Dayville, State of Oregon, has a right to the use of  
the waters of John Day Riverfor the purpose of Supplemental Irrigation, Irrigation, and ~~Development of 12 horsepower~~

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 1906 - Supplemental Irrigation - Tract #1  
~~Development of horsepower - Tract #2~~  
March 14, 1906 - Irrigation - Tract #3

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 for development of horsepower.

## See Below

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:

T#3593  
A POD  
AII

## Tract #1

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

## Tract #2

Development of Power

NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ 

Section 12,

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

## Tract #3

T#3593  
A POD

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  $\frac{1}{4}$  - 11 8  
12.7 acres in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  -  
1.6 acres in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  - 0 9  
4.2 acres in SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  - 2 3

Section 12,

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

15.0 acres in NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ 

Section 18

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

From

To

## John Day River:

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 3/4 acre-foot per acre thereafter; total five acre-feet per acre for season, measured at point of diversion.

(NOTE: Tract #1 is a supplemental supply for land under the Marks Creek Ditch from Mark Reeves Creek, with priority of February 15, 1889.)

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, 1959.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 25851

T#3593