

Wood Ranch
Canyon City
Oregon

3410

Sec 15

STATUS OF APPLICATION

Change in point of diversion; add point of diversion
Date filed 5-13-76
Date of hearing 8-2-76
Place of hearing Canyon City
Date of order 9-13-76 Vol. 27, page 411
Date for application of water 10-1-77
Proof mailed _____
Proof received SEP 4 1980
Certificate issued _____ Vol. 43, page 49441

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 Power
Date of priority August 18, 1962
In name of Eugene Ricco
_____ Adjudication, Vol. _____, page _____
App. No. 27564 Per. No. 21708 Cert. No. 23611
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>4-26-76</u>	<u>35.00</u>	<u>Transf from P-6 Ac# 54726</u>
TOTAL . . .		
<u>7-12-76</u>	<u>\$2 Cert. Fee</u>	<u>54292</u>

FEES REFUNDED

Date	Amount	Check No.

REMARKS

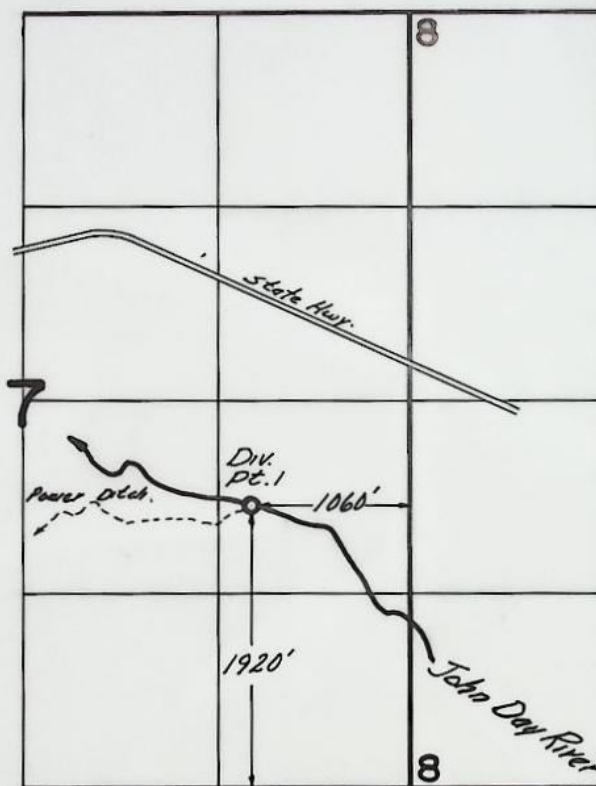
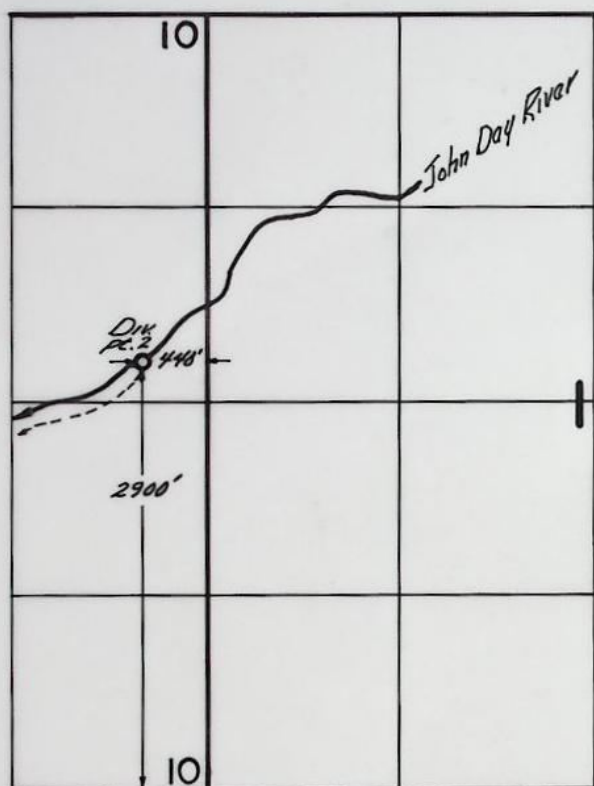
Also see File 3409 for Affidavit of Publication

W.R.I.S.
Assembled 7-13-87 by SGL
Entered _____ by _____
Verified _____ by _____

INDEX CARDS:	Entered	Checked
<u>WA</u> Name	<u>✓</u>	
<u>WH</u> Stream	<u>✓</u>	
<u>WH</u> Pt. of Div.	<u>✓</u>	
<u>WH</u> Calendar	<u>✓</u>	
CHECKED TO RECORDS:		
<u>✓</u> Twp. & Rge.	<u>nd</u>	
<u>✓</u> Cert. of W/R	<u>nd</u>	
<u>✓</u> Pm. Folder	<u>nd</u>	

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

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



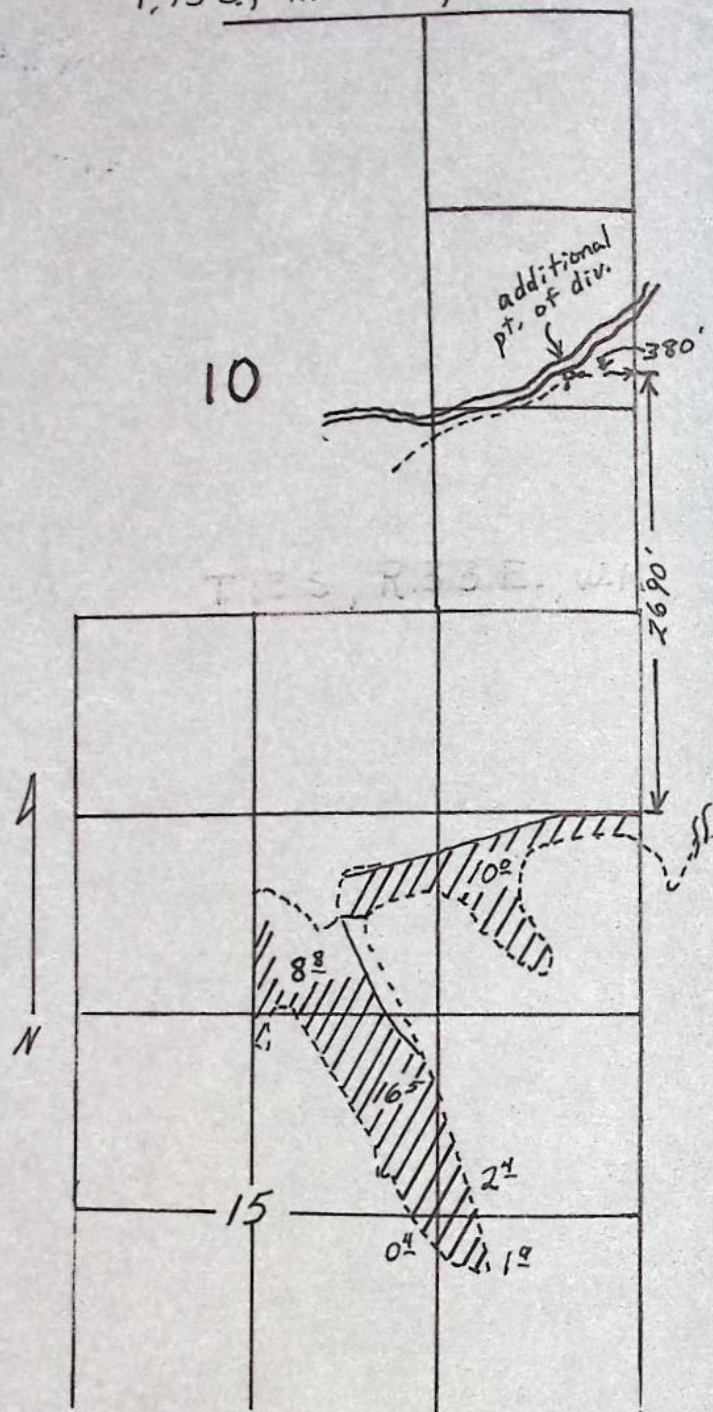
FINAL PROOF SURVEY
UNDER

TRANSFER No. 3409 and No. 3410.....
IN NAME OF

ELMWOOD RANCH.....

Surveyed Sept. 18, 1979, by S.C. BROWN.....

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

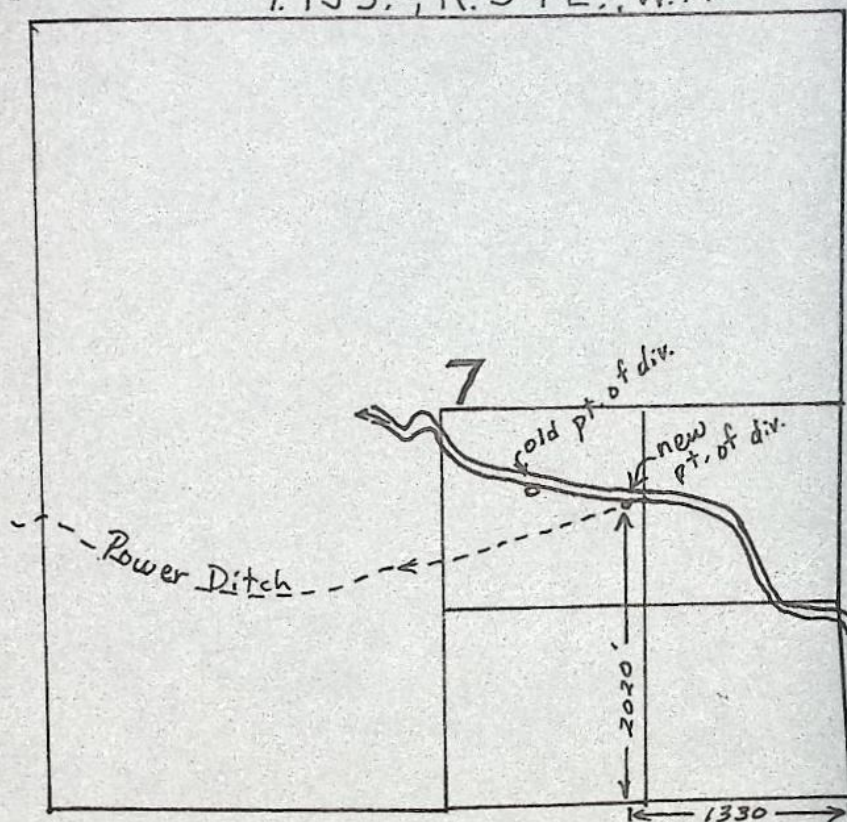


RECEIVED

MAY 13 1976

WATER RESOURCES DEPT
SALEM, OREGON

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



4" = 1 mile

map approved by Chapman Ranch LLC
Eugene Riccio Pres

T-3410

Add '1 POD

County Grant

Rosser

1. Name Elmwood Ranch, by Eugene Ricco
Address Prairie City, OR 97869
2. Source of Supply John Day River, Trib of _____
3. Use irrigation
4. Amount of Water 1.0 cfs Priority Date Aug 18, 1952
5. Proposed Point of Diversion ① Power Ditch, 2020 ft N + 1330 ft W from SE Cor of Sec 7, w/1 NW $\frac{1}{4}$ SE $\frac{1}{4}$, S 7, T 13S, R 33E W.M. ② Gulbraith-Olp-Hill Ditch, 2600 ft N + 380 ft W from SE Cor of Sec 10, w/1 SE NE, S 10, T 13S, R 33E W.M.
6. Completion Date 10-1-77
7. Place of Use: _____

[illegible]

Diversions located
9-14-79

POWER DITCH - 1.9 cfs Aug 7, 79

GALBREATH OLD MAIL 6 cfs 7 aug.
7 cfs 3 aug
9-18-79

INFO: PHYSICAL INSPECTION

DIV.: NEW DIVERSION IS ROCK DAM IN JOHN DAY RIVER WHICH
DIVERTS WATER THROUGH 5' DIA. CMP. INTO POWER DITCH
AT POWERS DITCH.

WATERMASTER MEASURED 1.9 cfs AUG 7, 1979

TIE: Photo 1576-56 for Powers Ditch.

DIVERSION IN ^{INCORRECT} NWSE SEC 7 MEASURED
CAP. OF 7 cfs AUG 3 BY WATERMASTER.
ROCK DAM ACROSS CREEK INTO CONCRETE
GATE.

TIE : 1576-41

Hyatt Brun
FIELD ENGINEER

NOTE: EUGENE RICCO IS DECEASED, HIS
SON RUSSEL NOW RUNS ELMWOOD RANCH.



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

January 12, 1978

Mr. Eugene Ricco, President
Elmwood Ranch
Prairie City, OR 97869

RE: File No. T-3410

Dear Mr. Ricco:

The time allowed for completion of the changes in points of diversion of water from John Day River, proposed by your water right transfer application No. 3410, expired on October 1, 1977.

If the authorized changes were 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 diligently 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.
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. 3410 was accomplished by _____, 19__.

Date

Signature



Please send form for application for extension of time limit.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Grant County

IN THE MATTER OF THE APPLICATION }
OF ELMWOOD RANCH FOR THE APPROVAL }
OF CHANGES IN POINTS OF DIVERSION }
OF WATER FROM JOHN DAY RIVER }

ORDER APPROVING
TRANSFER NO. 3410

On May 13, 1976, Elmwood Ranch, by Eugene Ricco, filed an application for transfer of water right in the office of the Water Resources Director proposing a change in point of diversion and an additional point of diversion under an existing right of record from the John Day River.

Certificate of water right issued to Eugene Ricco and recorded at Page 23611, Volume 17, State Record of Water Right Certificates, confirms a right to the use of 1.0 cubic foot per second from John Day River for the irrigation of 10.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 8.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 16.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 2.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.9 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 0.4 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 13 South, Range 33 East, W.M., with a date of priority of August 18, 1952.

These lands are irrigated by means of the Power ditch from a point of diversion located 2150 feet North and 3300 feet East from the Southwest corner of Section 7, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 13 South, Range 34 East, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate the said lands from two points of diversion located as follows:

- (1) Power ditch, 2020 feet North and 1330 feet West from the Southeast corner of Section 7, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 13 South, Range 33 East, W.M.
- (2) Galbraith-Olp-Hall ditch, 2690 feet North and 380 feet West from the Southeast corner of Section 10, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10, Township 13 South, Range 33 East, W.M.

Notice of the application, pursuant to ORS 540.510 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 June 10, 17 and 24, 1976.

Mr. Robert F. Main, Jr., Watermaster of District No. 4, has filed a statement to the effect that the proposed change in points of diversion may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested change in points of diversion of water from the John Day River through the Power ditch, and the addition of a point of diversion of water from the John Day River through the Galbraith-Olp-Hall ditch are 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, 1977.

It is FURTHER ORDERED that the quantities of water diverted at the new points of diversion shall not exceed the quantity of water available at the old point of diversion, and shall not exceed 1.0 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 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 certificate of water right heretofore issued to Eugene Ricco and recorded at Page 23611, Volume 17, State Record of Water Right Certificates, is canceled, 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 Elmwood Ranch, by Eugene Ricco, confirming the change in point of diversion.

Dated at Salem, Oregon, this 13th day of September, 1976.

/s/ JAMES E. SEXSON
Director

Gibraltar Onion Skin

MILLERS FALLS

ALL COTTON

T-3410

RECEIVED

MAY 13 1976

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

820-3744

I, Elmwood Ranch, by Eugene Ricco, President

(Name of applicant)

of Prairie City, County of Grant

(Postoffice)

State of Oregon, do hereby make application for change in point of diver-

sion of the Power Ditch and to establish an 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

(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is Power Ditch

4. The point of diversion is located 2150 ft. N. and 3300 ft. E. from the S.W.

(N. or S.)

(E. or W.)

corner of section 7 being within the NW 1/4 SE 1/4

(Section or subdivision)

of Section 7 Tp. 13 S. R. 34 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.	33E.	15	10 ⁰	8.8	16.5	2.4									1.9	0.4		

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

1.0 cfs

(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? August 18, 1952

9. Was your water right acquired by State Engineer's Permit? yes If so, give number

(Yes or No)

of permit 21708
appl. 27564

10. Do you hold a water right certificate? yes..... If so, give number of certificate 23611.....
(Yes or No)

11. 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)

12. Is the water right recorded in your name? yes..... Eugene Ricco.....
(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.

Proposed point of div. for Power Ditch is 2020'N. & 1330'W. from the S.E. corner of sec. 7, T. 13 S., R. 34 E., W.M. within NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 7

14. The proposed point of diversion is located 2690 ft. N. and 380 ft. W. from the S.E. corner of sec. 10 being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10 Tp. 13 S. R. 33 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 Power Ditch as #1 Galbraith-Olp-Hall as #2.

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? yes.....

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.?
(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 make better use of available water

RECEIVED
MAY 18 1961
WATER DIVISION
BY THE ENGINEER

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Grant

} ss.

I, Eugene Ricco, President of Elmwood Ranch, 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 11th day of May, 1976.

Elmwood Ranch Inc.
(Name of applicant)
by Eugene Ricco Pres.

Subscribed and sworn to before me this 11th day of May, 1976.

[Notarial Seal]

Robert F. Main
NOTARY PUBLIC FOR OREGON

My commission expires April 1, 1979

Remarks The additional point of diversion is the same point as
that supplying the Galbraith-Olp-Hall Ditch. The proposed change
of the Power Ditch is to establish the point as it now exists.

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.