

3358 J. H. Keith  
Route 2, Box 524  
Hermiston, Or 97238

3358

STATUS OF APPLICATION

Change in point of diversion  
Date filed 1-30-76  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 3-10-76 Vol. 26, page 441  
Date for application of water 10-1-76  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued AUG 24 1978 Vol. 39, page 46362  
Survey 6/76

DESCRIPTION OF WATER RIGHT

Name of stream 10 Sand Point Wells  
Trib. of \_\_\_\_\_ County of Umatilla  
Use irrigation  
Quantity of water \_\_\_\_\_ No. of acres 29<sup>2</sup>  
Name of ditch \_\_\_\_\_  
Date of priority December 27, 1971  
In name of J. H. Keith  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. G-5694 Per. No. G-4943 Cert. No. \_\_\_\_\_  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
1-30-76	17.00	51267
2-19-76	18.00	FROM P-L 38896
TOTAL . . .		
9-27-78	2 <sup>00</sup> Cert. Fee	Tot of 38896
2-19-76	assignment Rec. misc fees	FROM P-L 38896

FEES REFUNDED

Date	Amount	Check No.

REMARKS

NEW POA is  
U.M.A.T. 3745 = well described on T-2941 + final plat survey.

	INDEX CARDS:		Entered	Checked
	WA	WH		
Name	WA	WH	✓	✓
Stream	WA	WH	✓	✓
Pt. of Div.	WA	WH	✓	✓
Calendar	WA	WH	✓	✓
CHECKED TO RECORDS:				
Twp. & Rge.	WA	WH	✓	✓
Decree-vault	WA	WH	✓	✓
Decree-safe	WA	WH	✓	✓
Cert. of W/R	WA	WH	✓	✓
Per. Folder	WA	WH	✓	✓
Chainindex	WA	WH	✓	✓
Cross Ref.	WA	WH	✓	✓
Power Claim	WA	WH	✓	✓
Abstracts	WA	WH	✓	✓



UMAT 3745

Address R. 3 Box 524 Hermiston, Ore. 97838

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐  
If abandonment, describe material and procedure in Item 12.

**(4) PROPOSED USE (check):**

Rotary	<input checked="" type="checkbox"/>	Driven	<input type="checkbox"/>	Domestic	<input checked="" type="checkbox"/>	Industrial	<input type="checkbox"/>	Municipal	<input type="checkbox"/>
Cable	<input type="checkbox"/>	Jettied	<input type="checkbox"/>	Irrigation	<input checked="" type="checkbox"/>	Test Well	<input type="checkbox"/>	Other	<input type="checkbox"/>
Dug	<input type="checkbox"/>	Bored	<input type="checkbox"/>						

Threaded ☐ Welded ☒

3 " Diam. from 0 ft. to 23 ft. Gage 220  
 " Diam. from ..... ft. to ..... ft. Gage .....  
 " Diam. from ..... ft. to ..... ft. Gage .....

Perforated? ☐ Yes ☒ No.

Type of perforator used

Size of perforations	in. by	in.
perforations from	ft. to	ft.
perforations from	ft. to	ft.
perforations from	ft. to	ft.

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name .....

Type ..... Model No. ....

Diam. .... Slot size ..... Set from ..... ft. to ..... ft.

Diam. .... Slot size ..... Set from ..... ft. to ..... ft.

Drawdown is amount water level is lowered below static level

Was a pump test made? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, by whom?			
Yield:	gal./min. with	ft. drawdown after	hrs
	"	"	"
air	"	"	"
Bailer test	180 gal./min. with	10 ft. drawdown after	2 hrs
Artesian flow	g.p.m.		
Temperature of water	Depth artesian flow encountered ..... ft		

Well seal—Material used cement  
Well sealed from land surface to 18 ft.  
Diameter of well bore to bottom of seal 12 in.  
Diameter of well bore below seal 5 in.  
Number of sacks of cement used in well seal 3 sack  
Number of sacks of bentonite used in well seal \_\_\_\_\_ sack  
Brand name of bentonite \_\_\_\_\_  
Number of pounds of bentonite per 100 gallons  
of water \_\_\_\_\_ lbs./100 gal.  
Was a drive shoe used? ☒ Yes ☐ No Plugs \_\_\_\_\_ Size: location \_\_\_\_\_  
Did any strata contain unusable water? ☐ Yes ☒ No  
Type of water? \_\_\_\_\_ depth of strata \_\_\_\_\_  
Method of sealing strata off \_\_\_\_\_  
Was well gravel packed? ☐ Yes ☒ No Size of gravel: \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

County Umatilla Driller's well number \_\_\_\_\_  
 1/4 1/4 Section 29 T. 5N R. 29 W.M.  
 Bearing and distance from section or subdivision corner \_\_\_\_\_

Depth at which water was first found 30 ft.

Static level 21 ft. below land surface. Date 10-15-74

Artesian pressure \_\_\_\_\_ lbs. per square inch. Date \_\_\_\_\_

(12) WELL LOG: Diameter of well below casing ..... 0

Depth drilled 33 ft. Depth of completed well 33 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

[illegible]

Work started	10-15	19 74	Completed	10-15	19 74
Date well drilling machine moved off of well	10-15	19 74			

**Drilling Machine Operator's Certification:**

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] H. L. Williams Date 10-15, 1974  
(Drilling Machine Operator)

Drilling Machine Operator's License No. 300

**Water Well Contractor's Certification:**

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Allison Drilling Co. (Person, firm or corporation) (Type or print)

Address R. 2, Box 509-C Heriston, Ore. 97133

[Signed] H. C. Allison

Contractor's License No. 419 Date 10-15, 1971



STATE OF OREGON  
(Please type or print)  
(Do not write above this line)

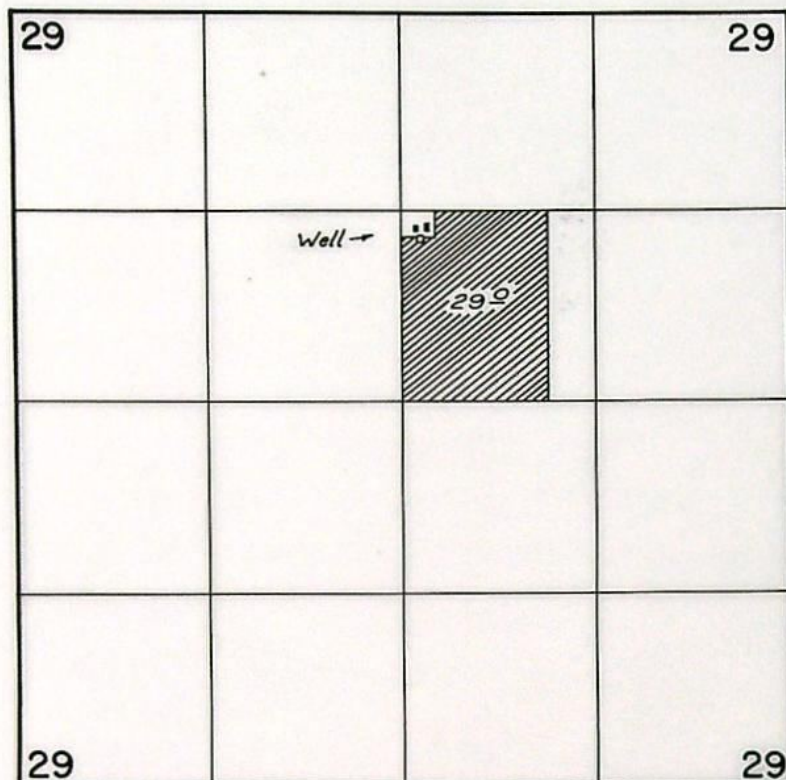
RECEIVED  
L REPORT  
OREGON  
OCT 7 - 1976  
RESOURCES DEPT.  
OREGON

State Well No. SN/29E-29  
State Permit No.

STP\*45656-119



T. 5 N., R. 29 E., W.M.



Well Loc.: 1520 'S. & 2770 'E. from NW Cor. Sec. 29

**FINAL PROOF SURVEY**  
UNDER

Transfer No. 3358  
Application No. \_\_\_\_\_ Permit No. \_\_\_\_\_  
IN NAME OF

J. H. Keith

Surveyed July 21, 1976, by L. H. Nunn

NZ-3MM-71 *LB*



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Umatilla County

IN THE MATTER OF THE APPLICATION )  
OF J. H. KEITH FOR THE APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM GROUND WATER )

ORDER APPROVING  
TRANSFER NO. 3358

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On January 30, 1976, J. H. Keith filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from ground water, pursuant to the provisions of ORS 540.510 to 540.530.

A water right has been perfected under the terms of permit number G-4943 in the name of J. H. Keith for the use of 0.36 cubic foot of water per second from ground water for the irrigation of 29.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 29, Township 5 North, Range 29 East, W.M., with a priority date of December 27, 1971. The lands are irrigated by means of a cluster of ten sand point wells located 170 feet North and 840 feet East from the center corner of Section 29, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 29, Township 5 North, Range 29 East, W.M. Satisfactory proof has been submitted to the Water Resources Director that water has been beneficially applied from the wells to the aforementioned lands.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a well to be located South 60 degrees 1 minute East 3200 feet from the Northwest corner of Section 29, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 29, Township 5 North, Range 29 East, W.M.



Notice by publication as provided by ORS 540.520 was not given in connection with this application for reason that said section provides notice is not required on an application for a change in point of diversion of water of less than one-quarter mile where there is no intervening diversion.

Mr. William Bartholomew, administrator ground water section has filed a report to the effect that the proposed change in point of diversion of ground water may be made without injury to existing rights.

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from ground water, to wit:

From ten sand point wells located 170 feet North and 840 feet East from the center corner of Section 29, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 29, Township 5 North, Range 29 East, W.M.

To a well to be located South 60 degrees 1 minute East from the Northwest corner of Section 29, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 29, Township 5 North, Range 29 East, W.M.,

for the irrigation of 29.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 29, Township 5 North, Range 29 East, W.M., with a date of priority of December 27, 1971, 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, 1976.

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 0.36 cubic feet 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 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 J. H. Keith confirming the change in point of diversion.

Dated at Salem, Oregon, this 10th day of March, 1976.

/s/ James E. Sexson  
Water Resources Director



NE-3mm-206  
7-21-76 LHN 3mm-206

20

Permit G-4943

County Umatilla

1. Name J. H. Keith Address Route 3, Box 524, Hermiston 97838-  
2. Source of Supply well ground water, Trib. of Hat Rock Drain  
3. Amount of Water 0.36 c.f.s. Priority Date Dec. 27, 1971  
4. Use irrigation of 29<sup>0</sup> ACRES  
5. Proposed Point of Diversion 1520 ft. S., & 2770 ft. E. from the  
South 60 degrees 1 minute East from the NW corner  
of Sec. 29, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 29, T. 5 N., R. 29 E., W.M., Umatilla

6. Place of Use DATE FOR APPLICATION OF WATER: 10/1/76

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	
<u>5N</u>	<u>29E</u>	<u>29</u>	<u>SW<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math></u>		<u>29.0 acres</u>
		8" case	3/16		
		33' dp			
		22 swL			
		38			
		32			

This cert is issued to confirm a change in point of diversion approved by an order of the WRD entered March 10, 1976 approving transfer application 3358.

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



Info: Mr. Keith

Source: Well - 8" case, 33' dp, SW1-22'

Pump: 15 Hp subm.

Pipe: 5" main along N. edge of field

Heads: 32 RB30 3/16 all max

Leads: Same as surveyed P# G-4943

Tie: Photo NZ-3mm-206 w/ well chained from shown lines.

7-21-76

Larry H. Funn

Field Engineer

Pump @ 75%

$$\frac{(6.6)(15)}{(114)+(22)} = 0.73$$

heads @ 45

$$\frac{(32)(6.8)}{450} = 0.50$$



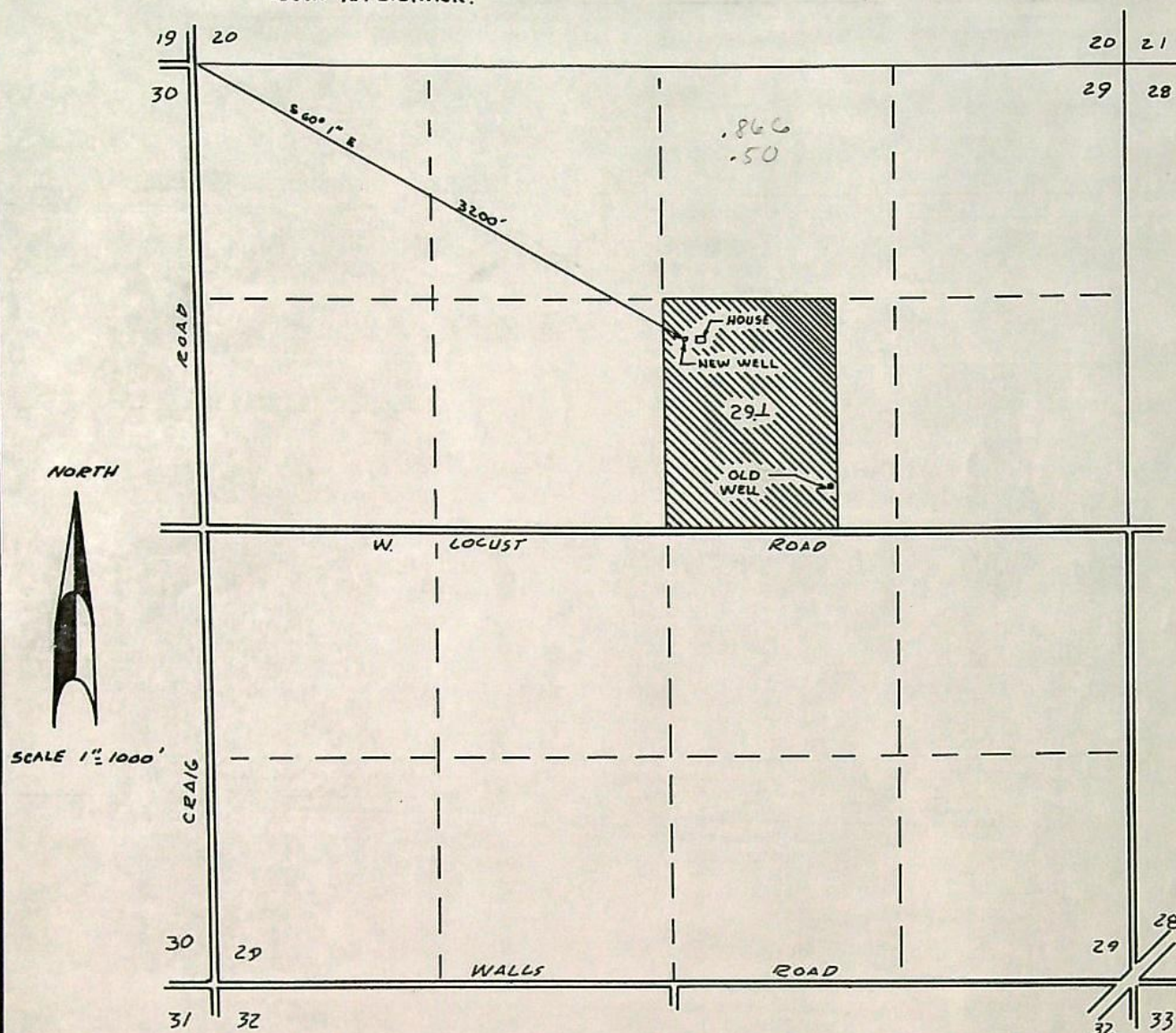
RECEIVED

JAN 30 1976

WATER RESOURCES DEPT.  
SALEM, OREGON

# **T5N R29EWM SEC 29**

GROUND WATER MAP FOR J. H. KEITH, RT 3 BOX 524  
HERMISTON, OREGON, TO ACCOMPANY TRANSFER OF WATER  
RIGHT APPLICATION.

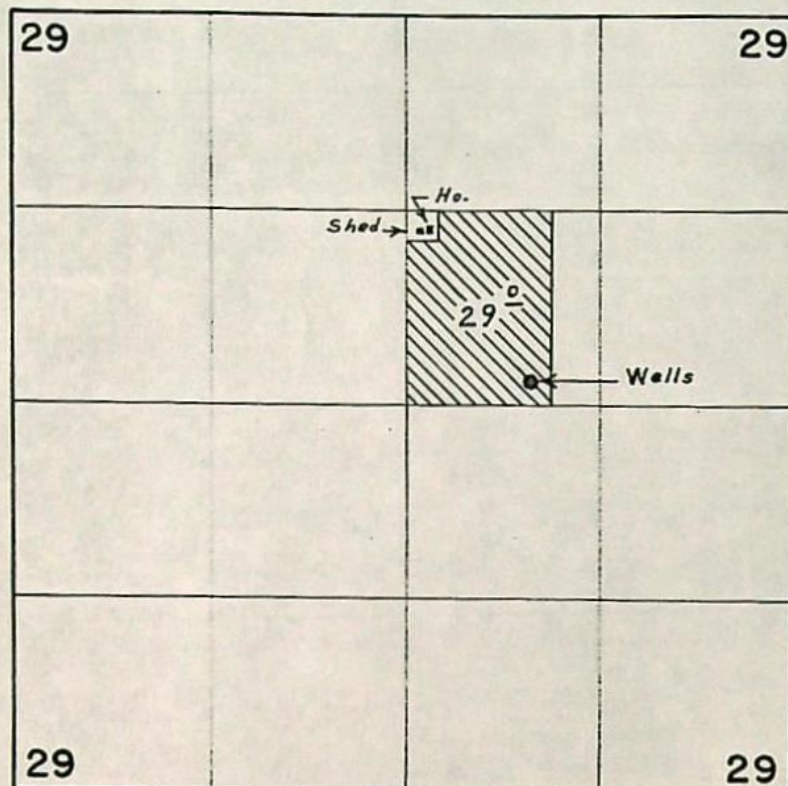


LOCATION OF OLD WELL 2400' S. & 1700' W. FROM THE NE CORNER  
OF SEC. 29, BEING WITHIN THE SW 1/4 NE 1/4 OF SEC. 29 T5N R29EWM  
IN THE COUNTY OF UMATILLA.

LOCATION OF NEW WELL S. 60° 1' E 3200' FROM THE NW CORNER OF  
SEC 29 T5N R29EWM



T.5 N. R.29 E. W.M.



Wells located 170' N. & 840' E. from Center Sec. 29

**FINAL PROOF SURVEY**  
UNDER

Application No. G-5694 Permit No. G-4943  
IN NAME OF

VIRGIL A. McCLAIN

Surveyed April 18, 1973, by L. E. Gould

**RECEIVED**  
JAN 30 1976  
WATER RESOURCES DEPT.  
SALEM, OREGON



RECEIVED

MAY 13 1976

WATER RESOURCES DEPT  
SALEM, OREGON

Transfer No. 3358

NOTICE OF COMPLETION OF CONSTRUCTION

I, J. H. Keith, hereby certify

that the construction work has been completed and the change in

point of diversion of water made as set forth in the order of

<sup>Water Resources Director</sup>  
the ~~State Engineer~~ dated 11-4-74, approving an appli-

cation for a change in point of diversion of water from \_\_\_\_\_

5-4-76  
Date

Joe F. Smith  
Name



RECEIVED

JAN 30 1976

WATER RESOURCES DEPT  
SALEM, OREGON

T-3358

# Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, J.H. Keith  
(Name of applicant)

of Rt. #3 Box 524 Hermiston, County of Umatilla  
(Postoffice)

State of Oregon 97838, do hereby make application for change in the point of diversion

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

1. The source of present water right is 10 Sand Piont Wells  
(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

4. The point of diversion is located 170 ft. N and 840 ft. E from the Center  
(N. or S.) (E. or W.)

corner of Sec 29 being within the SW 1/4 NE 1/4  
(Section or subdivision)

of Section 29 Tp. 5N R. 29E W. M., in the County of Umatilla  
(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
5N	29E	29			29													

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? 12/27/71

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

of permit G-4943 App G-5694

4825



10. Do you hold a water right certificate? No If so, give number of certificate .....  
(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? No, Virgil A. McClain .....  
(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.

S. 60° 1' E. 3,200'

14. The proposed point of diversion is located ..... ft. ..... and ..... ft. .... from the N.W. ....  
(N. or S.) (E. or W.)  
corner of Sec 29 being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 29 Tp. 5N R. 29E W. M.,  
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)  
in the county of Umatilla 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.? .....  
(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 The 10 sand points that Mr. McClain applied for did not provide enough water for my irrigation needs. I just recently had a well drilled and want to hold my 1971 priority date. The new well was drilled on October 15, 1974.



AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Umatilla

} ss.

I, J.H. Keith, 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 26 day of JAN, 1976.

J.H. Keith

(Name of applicant)

Subscribed and sworn to before me this 26 day of JANUARY, 1976

[Notarial Seal]

William L. Goffley

NOTARY PUBLIC FOR OREGON

My commission expires JAN 7, 1980

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.