

4032 Kalita

4032

Name John Kalita

By \_\_\_\_\_

Address Box 181Chiloquin, OR 97624Change in PODDate filed Aug 29, 1978Date of hearing Nov. 29, 1978Place of hearing Canyon CityDate of order 11-29-78 Vol. 31, page 467Date for application of water 10-1-80

Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Certificate issued JAN 29 1979 Vol. 40, page 47277DEC 29 198963807 Canceled 2-7-90 sp Or V44 p 36

to pur 12/80

Surveyed 4/8/86

## REMARKS

See T-4206 involves part of balance (ent 47277)

CARD FOR C NOV 4 1980

SEE T-4245 Δ POD part See also T-5588 Δ POD of part  
Check to see that POD on C-50489 is same as T-4032 P.P.— finish —

## DESCRIPTION OF WATER RIGHT

Name of stream John Day RiverTrib. of \_\_\_\_\_ County of Grant

Use \_\_\_\_\_

Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

Date of priority June 25, 1963In name of Wallace F. Campbell

\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_

App. No. 38853 Per. No. 28944 Cert. No. 36753

Certificate cancelled \_\_\_\_\_

Notation made on record by \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt No.
<u>8-29-78</u>	<u>85 -</u> <u>&lt; 2.00 &gt;</u>	<u>5795</u>
TOTAL . . .		
<u>10-31-78</u>	<u>2 Cert. Fee</u>	<u>Transfr 5795</u>
<u>Blue Mt. Eagle \$36.57 pd 10/31/78 Ok # 275B</u>		

## FEES REFUNDED

Date	Amount	Check No.
<u>10-31-78</u>	<u>11 <sup>43</sup></u>	<u>2763</u>

Ex 20 -  
POD 15 -  
Cert 2 -  
PON 36 <sup>57</sup>  
73 <sup>57</sup>

	INDEX CARDS:	
	Entered	Checked
Name	<u>leg</u>	<u>leg</u>
Stream	<u>leg</u>	<u>leg</u>
Pt. of Div.	<u>leg</u>	<u>leg</u>
Calendar	<u>leg</u>	<u>leg</u>
CHECKED TO RECORDS:		
Twp. & Ege.	<u>leg</u>	<u>leg</u>
Decree-vault	<u>leg</u>	<u>leg</u>
Decree-safe	<u>leg</u>	<u>leg</u>
Cert. of W/R	<u>leg</u>	<u>leg</u>
Per. Folder	<u>leg</u>	<u>leg</u>
Chained	<u>leg</u>	<u>leg</u>
Gross Ref.	<u>leg</u>	<u>leg</u>
Power Claim	<u>leg</u>	<u>leg</u>
Abstracts	<u>leg</u>	<u>leg</u>

W.R.I.S.

Assembled 6-28-84 by SOA

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

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



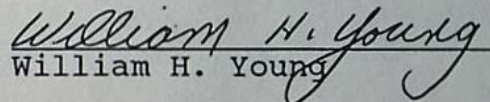
BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
GRANT COUNTY

IN THE MATTER OF THE CANCELLATION )  
OF CERTIFICATE 63807 ) CANCELLATION  
ORDER

Certificate 63807, in the name of Louis Stueber, was issued to confirm the change in point of diversion authorized by order approving transfer 4032. Transfer 4745 authorized a retransfer of part of the acreage involved in transfer 4032 and provided for certificates to be issued confirming the change and for the remaining right. Therefore certificate 63807 was issued in error.

Certificate 63807 is hereby cancelled.

WITNESS the signature of the Water Resources Director, affixed February 7, 1990.

  
William H. Young

Recorded in Special Order Records at Volume 44, page 36.

T-4032.BE



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

GRANT COUNTY

IN THE MATTER OF THE APPLICATION )  
OF JOHN KALITA FOR APPROVAL OF A )  
CHANGE IN POINT OF DIVERSION OF )  
WATER FROM JOHN DAY RIVER )  
- - - - -

ORDER APPROVING  
TRANSFER NO. 4032

On August 29, 1978, an application was filed in the office of the Water Resources Director by John Kalita for approval of a change in point of diversion from John Day River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 36753, Volume 28, State Record of Water Right Certificates, in the name of Wallace F. Campbell, describes a right which includes the use of not to exceed 0.4 cubic foot per second from John Day River for irrigation of a certain 4.8 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 0.7 acre in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 19; 6.8 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 3.6 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 20, Township 13 South, Range 29 East, W.M., with a date of priority of June 25, 1963.

Water for the said right is diverted from a point located 2750 feet North and 2480 feet West from the Southeast Corner of Section 20, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 20, Township 13 South, Range 29 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, and to hereafter divert water from a point located 520 feet North and 640 feet East from the West Quarter Corner of Section 20, being within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 20, Township 13 South, Range 29 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), 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 October 5, 12 and 19, 1978.

Mr. Jerry Rodgers, Watermaster, has filed a statement 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 requested change in point of diversion, as described herein, without loss of priority, is approved.

131, 1967



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 under the subject right.

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

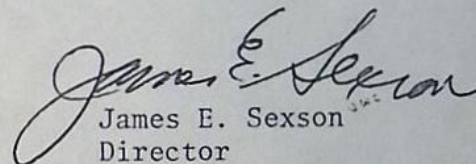
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 construction work shall be completed and the change in point of diversion of water made on or before October 1, 1980.

It is FURTHER ORDERED that the certificate of water right recorded at page 36753, Volume 28, 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 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 29th day of November, 1978.

  
James E. Sexson  
Director

2468



## STATE OF OREGON

COUNTY OF

GRANT

## CERTIFICATE OF WATER RIGHT

SUPERSEDED  
CERTIFICATE NO.48348  
49443

This Is to Certify, That

WALLACE F. CAMPBELL

of Rt. 1, Box 194, La Grande, State of Oregon, 97850, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of John Day River

a tributary of Columbia River  
irrigation of 10.0 acres

for the purpose of

under Permit No. 28944 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from June 25, 1963

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.25 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 20, T. 13 S., R. 29 E., W. M., 2750 feet North and 2480 feet West from the SE Corner, Section 20

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 5 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to use of water is limited to the period when the flow of the John Day River is more than 30 c.f.s. at USGS Gage No. 14-0465 and more than 20 c.f.s. at USGS Gage No. 14-0480.

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

1.4 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$ 8.6 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$ 

Section 20

T. 13 S., R. 29 E., W. M.

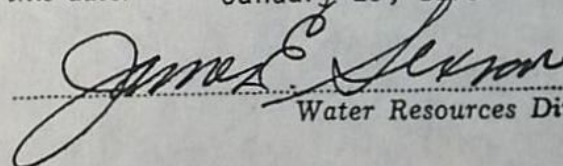
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 36753, Volume 28, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on November 29, 1978, approving transfer application No. 4032.

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

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. January 29, 1979

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 40, page 47277

CRR

T-4206



RR for T-4745  
\$4032STATE OF OREGON  
COUNTY OF GRANT

47227.7 and

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That WALLACE F. CAMPBELL

of Route 1, Box 194, La Grande, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of John Day River

a tributary of Columbia River for the purpose of irrigation of ~~25.7~~ 9.8 acres

under Permit No. 28944 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from June 25, 1963

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed ~~0.65~~ 0.25 cubic foot per secondor its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 20, T. 13 S., R. 29 E., W. M. Diversion point located: 2750 feet North and 2480 feet East from SE Corner, Section 20. 520 640 East W $\frac{1}{2}$ 

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 5 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to use of water is limited to the period when the flow of the John Day River is more than 30 c.f.s. at USGS Gage No. 14-0465 and more than 20 c.f.s. at USGS Gage No. 14-0480,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

3.4 4.8 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$  - 7.4  
0.4 0.7 acre NE $\frac{1}{4}$  SE $\frac{1}{4}$  - 0.3  
Section 193.0 8.2 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$  - 3.8  
3.0 12.2 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$  - 0.6  
Section 20

T. 13 S., R. 29 E., W. M.

T-4032  
AP 000 ✓4.8 ✓  
0.7 ✓6.8 ✓  
3.6 ✓T-4745  
RR3.4  
0.43.0  
3.0This certificate describes that portion of the water right confirmed by the order  
The certificate recorded at page 467, Volume 31, State Record of Special  
use herein right Certificates, NOT modified by the provisions of an order of the  
Resources Director entered on June 17, 1981, approving  
transfer application No. 4745.

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.

State Engineer

Recorded in State Record of Water Right Certificates, Volume 28, page 36753

50489

T-4745 T# 4032



# AFFIDAVIT OF PUBLICATION

STATE OF OREGON

County of Grant

SS.

I, Karla Dalton, 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 water right transfer #4032

\_\_\_\_\_, 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:

October 5, October 12

and October 19, 1978

Karla Dalton

Subscribed and sworn to before me this 20th day of Oct.,

1978

Patricia O Carpenter  
Notary Public for Oregon

My commission expires Sept 8, 1980

Cost of this publication was \$ 36.57

(Seal)

**RECEIVED**

**OCT 23 1978**

**WATER RESOURCES DEPT.  
SALEM, OREGON**

## Public Notices

### NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4032

Notice is given hereby that an application has been filed in the office of the Water Resources Director by John Kalita for approval of a change in point of diversion from John Day River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 36753, volume 28, State Record of Water Right Certificates, in the name of Wallace F. Campbell, describes a right which includes the use of not to exceed 0.4 cubic foot per second from John Day River for irrigation of 4.8 ac in SE 1/4 NE 1/4, 0.7 ac in NE 1/4 SE 1/4 of Sec. 19; 6.8 ac in SW 1/4 NW 1/4 and 3.6 ac in NW 1/4 SW 1/4 of Sec. 20, T 13S, R 29E, WM, with a date of priority of June 25, 1963.

Water for the said right is diverted from a point located 2750 ft N and 2480 ft W from the SE Corner of Sec. 20, being within the SW 1/4 NE 1/4 of Sec. 20, T 13S, R 29E, WM.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, and to hereafter divert water from a point located 520 ft N and 640 ft E from the W 1/4 Corner of Sec. 20, being within the SW 1/4 NW 1/4 of Sec. 20, T 13S, R 29E, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Canyon City, Ore., on Nov. 29, 1978 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 John Kalita, Box 181, Chiloquin, OR 97624; and one copy filed with the Water Resources Department, Salem, OR 97310, 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 Department upon request.

Dated at Salem, Ore., this 7th day of September, 1978.

By: JAMES E. SEXSON  
Director  
40-42