

4206 Van de Hey

4206

Name George N. Van de Hey

By _____

Address P.O. Box 987Mt. Vernon, OR 97865Change in PODDate filed April 20, 1979Date of hearing June 27, 1979Place of hearing Canyon CityDate of order 6-29-79 Vol. 32, page 261Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued JUL 23 1979 Vol. 41, page 48348SEP 4 1980 43 49443

DESCRIPTION OF WATER RIGHT

Name of stream John Day RiverTrib. of _____ County of Grant

Use _____

Quantity of water _____ No. of acres 2.5

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. 47277

Certificate cancelled _____

Notation made on record by _____

in DB

FEES PAID

Date	Amount	Receipt No.
<u>4-20-79</u>	<u>\$85-</u>	<u>10471</u>
<u>6-22-79</u>	<u>2.00</u>	<u>Trans to list</u>
TOTAL . . .		
<u>6-22-79</u>	<u>\$2 Cert. Fee</u>	<u>Trans for 10471</u>
<u>Blue Mt. Eagle #36.55 pd 6/22/79 ckt# 3476</u>		

FEES REFUNDED

Date	Amount	Check No.
<u>6-22-79</u>	<u>11.45</u>	<u>3477</u>

EX 20-
 POD 15-
 CERT 2-
 POD 36.55
73.55

REMARKS

W.R.I.S.

Assembled 6-28-79 by gib

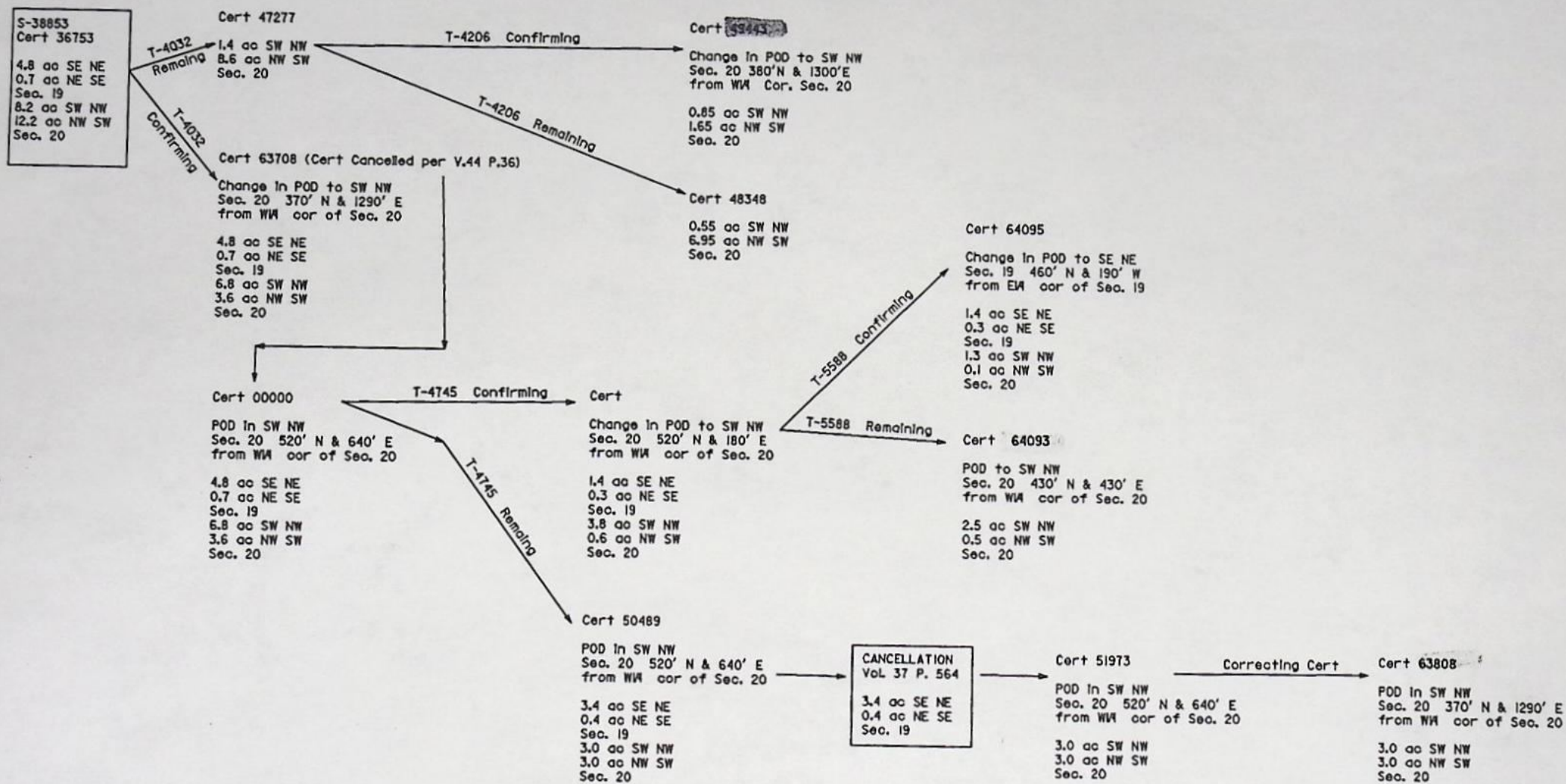
Entered _____ by _____

Verified _____ by _____

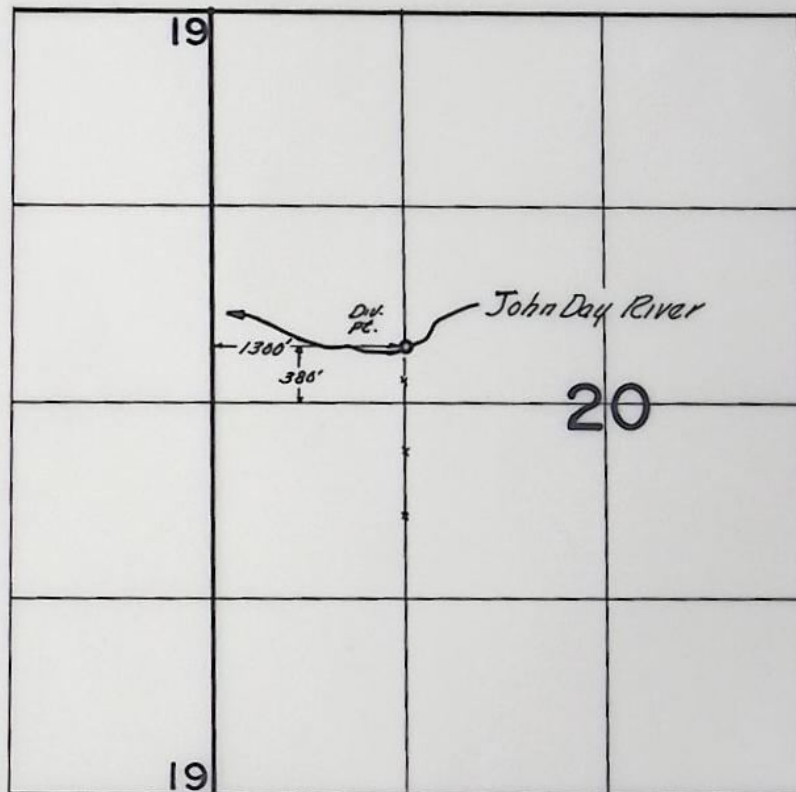
INDEX CARDS:

TO BE ENTERED WHEN CHECKED	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>gib</u>	_____
<input checked="" type="checkbox"/> Stream	<u>gib</u>	_____
<input checked="" type="checkbox"/> Pt. of Div.	<u>gib</u>	_____
<input checked="" type="checkbox"/> Calendar	<u>gib</u>	_____
<input checked="" type="checkbox"/> Twp. & Rge.	<u>gib</u>	_____
<input checked="" type="checkbox"/> Deeds-vault	<u>gib</u>	_____
<input checked="" type="checkbox"/> Deeds-safe	<u>gib</u>	_____
<input checked="" type="checkbox"/> Cert. of W/R	<u>gib</u>	_____
<input checked="" type="checkbox"/> Per. Folder	<u>gib</u>	_____
<input checked="" type="checkbox"/> Chindex	<u>gib</u>	_____
<input checked="" type="checkbox"/> Cross Ref.	<u>gib</u>	_____
<input checked="" type="checkbox"/> Power Claim	<u>gib</u>	_____
<input checked="" type="checkbox"/> Abstracts	<u>gib</u>	_____

TRANSFER TREE



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



FINAL PROOF SURVEY
UNDER

Application No. TRANSFER No. 4206 Permit No.
IN NAME OF

..... GEORGE N. VAN DE HEY

Surveyed Sept. 19... 1979, by S.C. BROWN.....

STATE OF OREGON
WATER RESOURCES DEPT.

INTEROFFICE MEMO
575-0119

TO: Ves Garner

DATE: January 31, 1990

FROM: Jerry Rodgers
WM #4

SUBJECT: Certificate 63807

This Certificate should not have been issued. ✓ There have been numerous transfers and actions on this right since the original issuance due to property subdivision. I'll try and outline the history and where each part is now. Total 15.9 acres.

After Transfer 4032 was approved a subsequent partial POD change for 6.1 acres was approved on T-4745. (Spec. Or. V.34 P.606) This left 9.8 acres which was confirmed by Cert. 50489. Subsequently 3.8 acres was cancelled by Special Or. V.37 P.564. This left 6.0 acres of the original 15.9 which is now confirmed by Cert. 51973.

Louis Stueber has no interest in the lands involved in T-4032. His POD change was approved on T-4206, now confirmed by Cert. 49443.

Again the point of this memo is that this Certificate never should have been issued and should be rescinded. Off all the original acreage involved, Certificates have already been issued for all parts except T-4745 and T-5588. T-4745 is the subject of another attached memo.

: POD
POU
USE
Add'l POD

County Grant

1. Name George N. Van de Hey WEST HWY 26
Address Box 987, Mt. Vernon, OR 97865

3. Use Irrigation

5. Proposed Point of Diversion ³⁸⁰~~710~~ ft N & 1300 ft E from W $\frac{1}{4}$ Corner
of Sec 20, T 13 S, R 29 E, W 1 M

6. Completion Date 10-1-80

7. Place of Use:

[illegible]

Sept 19, 1979

INFO: MR VAN DE HAY
SOURCE JOHN DAY RIVER
USE: IRRIGATION
Pump: 1-hp DAYTON @ 3450 RPM
DDC 1 1/2 x 1 1/4 pump

heads: 8 - RB 25's 5/32" x 0" (SIX MAX LOWER FIELD)
pipe: 1 1/4" plastic & 1" PVC portable
plastic throughout, had enough laying
out to cover entire place.

crops: pasture, yard
lift: suction 2 ft discharge (lower field) (upper)
+0 ft ; +25 ft

See Photo 66-17

Note: diversion located just west of fence

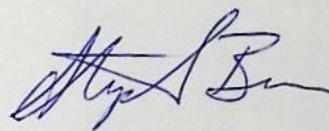
line which is 90' line)

LAND HAS BEEN SOLD, POSSESSION
BY ~~THE~~ NEW OWNER LOUIE STUBER

OF PRARIE CITY WILL OCCUR

IN NOVEMBER. MR VAN DE HAY'S

NEW ADDRESS WILL BE General
Delivery MT VERNON.


FIELD ENGINEER



STATE OF OREGON

INTEROFFICE MEMO

TO: WATER RIGHTS

DATE: 9-22-80

FROM: RICH CETTEL, ASST WATERMASTER DIST. 4
RMC

SUBJECT: TRANS 4206 - FINAL PROOF MAP

GEORGE N. VAN DE HEY

S.O. V. 32 P. 261

RECEIVED

OCT 15 1980

WATER RESOURCES DEPT
SALEM, OREGON

THE FINAL PROOF MAP ISSUED LISTS
THIS AS T-4207 INSTEAD OF T-4206

Map corrected 17 Oct 80

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

GRANT COUNTY

IN THE MATTER OF THE APPLICATION)
OF GEORGE N. VAN de HEY FOR AP-)
PROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 4206

On April 20, 1979, an application was filed in the office of the Water Resources Director by George N. Van de Hey for approval of a change in point of diversion of water from John Day River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 47277, Volume 40, State Record of Water Right Certificates, in the name of Wallace F. Campbell, describes a right which includes the use of not to exceed 0.06 cubic foot per second from John Day River for irrigation of a certain 0.85 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 1.65 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.

The authorized point of diversion for said right is 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, to a point located 410 feet North and 1300 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 May 3, 10 and 17, 1979.

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.

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:

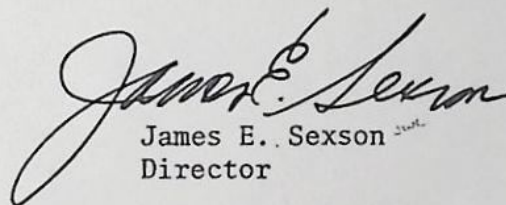
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 47277, Volume 40, 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 June, 1979.


James E. Sexson
Director

RECEIVED

JUL - 9 1979

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

point of diversion of water from John Day River

PURSUANT TO TRANSFER APPLICATION NO. 4206

I, Geo W. Vand Hey, 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 said water
right transfer application was accomplished by 7/6/, 1979

7/6/79
Date

Geo W. Vand Hey
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)

ok
Jcy

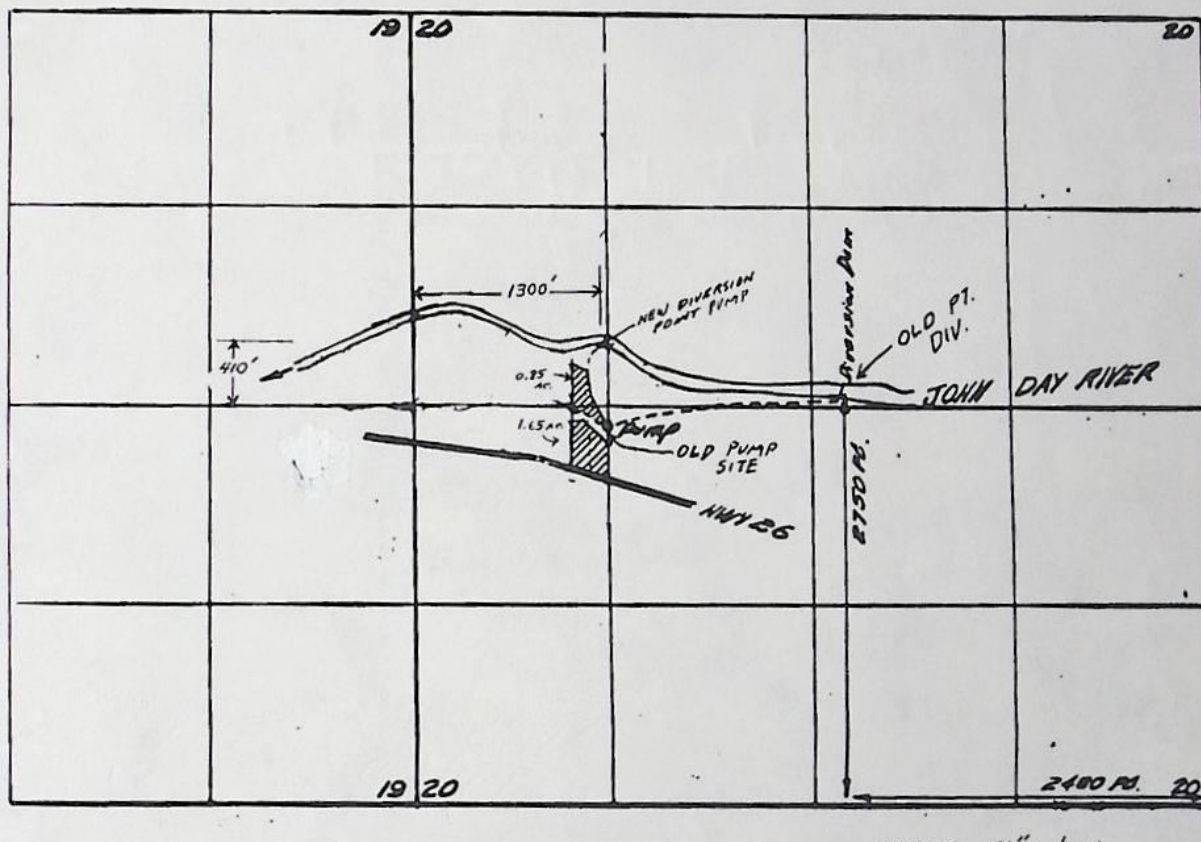
T-4206

RECEIVED

APR 20 1979

WATER RESOURCES DEPT.
SALEM, OREGON

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



APPLICATION MAP FOR
GEORGE VAN DE HAY

SCALE - 4" = 1 mi.

APPROVED
x. *Geo W. Vandenberg*

THIS MAP PREPARED BY:

Charles J. Ruffalo 8-28-78
FROM INFORMATION FURNISHED BY
THE APPLICANT.

RECEIVED

APR 20 1979

Application for Transfer of Water Right

WATER RESOURCES DEPT.
SALEM, OREGON

T-4206

To the WATER RESOURCES DIRECTOR OF OREGON:

I, George N. Van de Hay
(Name of applicant)
of P. O. Box 987
(Mailing address), Mt Vernon
(City),
State of Oregon, 97865, 932-4914, do hereby make application for change
(Zip Code) (Phone number)
in point of diversion
(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? Wallace F. Cambell
(If not, give name)

2. Was your water right determined by Decree of Court? NO If so, give title of proceedings
(Yes or No)

number of certificate

3. Was your water right acquired by Water Right Permit? YES If so, give number
(Yes or No)

of permit P-28944 Number of certificate 36753-47277

A# 38853

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is John Day River, trib. Columbia River

5. What is the date of priority of your water right? June 25, 1963

6. The authorized point of diversion is located 2750 ft. N. and 2480 ft. W. from the SE
(N. or S.) (E. or W.)
corner of 20 being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20 Tp. 13 S. R. 29 E. W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Grant The name of the ditch used is Pump out of ditch

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located 410 ft. N. and 1300 ft. E. from the W $\frac{1}{2}$
(N. or S.) (E. or W.)
corner of 20 being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20 Tp. 13 S. R. 29 E. W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Grant The name of the ditch to be used is Pump in River

8. The use to which the water is applied is Irrigation

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

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
13 S.	29 E.	20	SW $\frac{1}{4}$ NW $\frac{1}{4}$	0.85
"	"	"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	1.65
				<u>total</u> 2.50

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? YES

(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? NO

(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. 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)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is

(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are Div. Pt. of ditch no longer adequate
as river has chewed out around div. pt. going to sprinklers to
conserve water with pump in river.

15. Construction work will be completed on or before Oct. 1, 1979

16. The water will be completely applied to the proposed use on or before Oct 1, 1980

Remarks _____

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

I, Geo. N Van De Hey, 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 19 day of April, 1979

George N Van De Hey
(Name of applicant)

Subscribed and sworn to before me this 19 day of April, 1979

[Notarial Seal]



[Signature]
NOTARY PUBLIC FOR OREGON

My commission expires 4-28-82



STATE OF OREGON

INTEROFFICE MEMO JUN 27 1979

RECEIVED
WATER RESOURCES DEPT
SALEM, OREGON

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: 6/25, 1979

FROM: ** Jerry Rodgers, Watermaster

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4206

IN THE NAME OF George N. Van de Hey

In my opinion the proposed change in point of diversion from John Day River
MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

Headgate notices HAVE HAVE NOT been issued for diversion from the sources which serves this right.

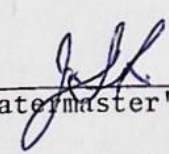
If for change in point of diversion, is there any intervening point of diversion between the authorized and the proposed points of diversion? No
(yes or no)

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- ____ (1) PRIOR to the diverting of water at the new point of diversion . . .
X (2) When in the judgment of the watermaster it becomes necessary . . .

* The approval of this transfer application would result in injury to other water rights because _____

**


Watermaster's signature or initials

AFFIDAVIT OF PUBLICATION

STATE OF OREGON

County of Grant

SS.

I, John Gaterud, 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 Appl. No.

4206

, 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:

May 3, 10 and 17, 1979

Subscribed and sworn to before me this 18th day of May, 19 79.

Karla J. Dalton
Notary Public for Oregon

My commission expires Feb. 1, 1983

Cost of this publication was \$ 36.55

(Seal)

RECEIVED

MAY 21 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Public Notices

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4206

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

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The authorized point of diversion for said right is 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. 13 S., R. 29 E., W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 410 ft. N and 1300 ft. E from the W 1/4 Corner of Sec. 20, being within the SW 1/4 NW 1/4 of Sec. 20, T. 13 S., R. 29 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Canyon City, Ore., on June 27, 1979 at 9:30 a.m. All objections to the proposed change, if any there are, will be held at said time and place. Any and all objections shall be prepared in writing: one copy to be served on George N. Van de Hey, P.O. Box 987, Mt. Vernon, OR 97865; 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.

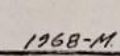
Dated at Salem, Ore., this 27th day of April, 1979.

JAMES E. SEXSON
Director
18-20

1 27, 1979

Charles Aufforth Asst 17-77
advised that Transfer No
4032 (Kalita) was in error
in noting 6.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$,
should have been 7.35 acres.

They will check with Mr.
Kalita to see if he wishes
to have a correction made,
or part canceled.



UNDER

IN NAME OF

WALLACE T. CAMPBELL

Surveyed July 18 1968, by W. L. Ruppert