

M-209 John S. McC...
Mt. Vernon Ranch
Mt. Vernon, Or.

M-209 New land 1475

STATUS OF APPLICATION

DESCRIPTION OF WATER RIGHT

DVA Notification

FEES PAID

Change in Point of Diversion
 Date filed June 23, 1969
 Date of hearing January 21, 1970
 Place of hearing Canyon City, Oregon
 Date of order 2-15-77 Vol. 28, page 307
 Date for application of water completed
 Proof mailed _____
 Proof received _____
 Certificate issued Aug 24, 1978 Vol. 38, page 4626 (RR cert)
JUN 14 1979 48136 (CR cert)

Name of stream John Day River
 Trib. of _____ County of Grant
 Use Irrigation
 Quantity of water _____ No. of acres 252?
 Name of ditch Blue Mountain
 Date of priority October 23, 1916
 In name of John Course
 _____ Adjudication, Vol. _____, page _____
 App. No. 5224 Per. No. 3163 Cert. No. 24504

Date	Amount	Receipt No.
6-23-69	25.00	15118
6-23-69	30.00	15119
1-29-70	166.00	17633
TOTAL		
1-29-70	\$1 Cert. Fee	17634

FEES REFUNDED

Date	Amount	Check No.

Certificate cancelled _____
 Notation made on record by sh

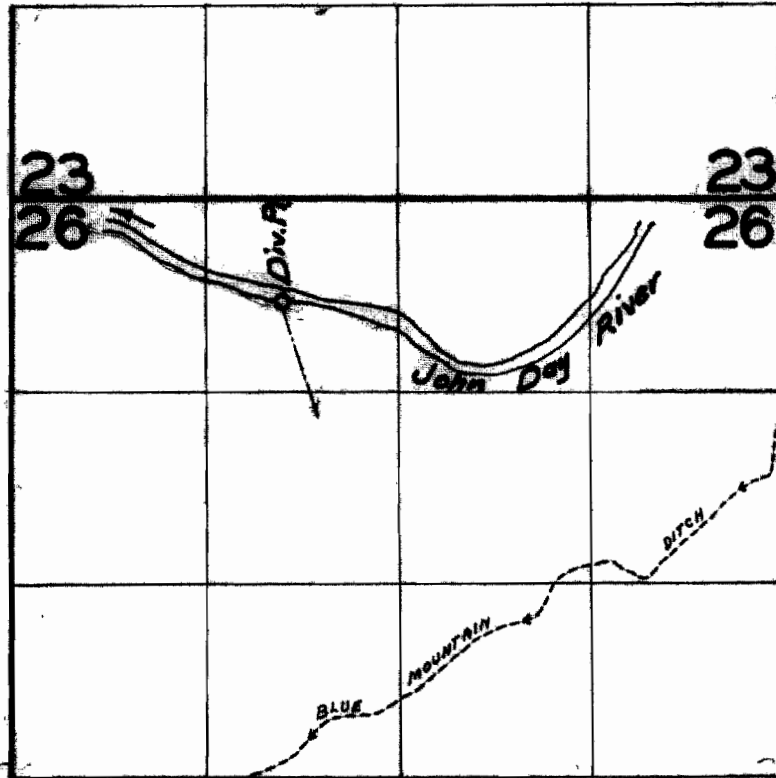
REMARKS

T-10072

WR'S.
 Assembled 7-19-84 by SOT
 Entered _____ by _____
 Verified _____ by _____

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

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



DIV. PT. LOC. 740' S.E. 340' W. FROM NE COR SEC. 26

FINAL PROOF SURVEY
UNDER

Transfer No. M-209
Transfer No. C-137

Application No. _____ Permit No. _____
IN NAME OF

..... DENNIS CAWRSE

Surveyed Apr. 15, 1962, by Ralph Jackson.
June 14, 1978, by J.S. Donaldson

By
S.P.O. Vol. 12, p. 123
T. 13 S., R. 29 E., S. 30

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

This Is To Certify, That BLUE MOUNTAIN DITCH COMPANY

of Mt. Vernon, 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 545.7 acres

under Permit No. 3153 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 October 23, 1915,

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 10.5 cubic feet 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 1/4, Section 29, Township 13 South, Range 30 East, T. 13 S., R. 29 E., S. 30.

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-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be limited to a diversion of not to exceed 1 acre foot per acre for each acre irrigated during any month prior to July 1, and thereafter 3/4 of one acre foot per acre for each acre irrigated and shall be further limited to a total diversion of not to exceed 5 acre feet per acre for each acre irrigated during the irrigation season from April 1 to September 30 of each year.

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:

- 8.5 acres NE, SW
 - 1.2 acres SE, SW
 - 36.2 acres NE, SE
 - 32.2 acres NW, SE
 - 34.3 acres SW, SE
 - 36.5 acres SE, SE
 - Section 20
 - 20.8 acres SW, SW
 - 12.4 acres SE, SW
 - 9.8 acres SE, SE
 - Section 21
 - 6.2 acres NE, NE
 - 16.0 acres NW, NE
 - Section 25
 - 27.2 acres NE, NE
 - 2.0 acres NW, NW
 - 36.1 acres SW, NE
 - 20.6 acres SE, NE
 - 0.5 acres NE, NW
 - 24.0 acres NW, NW
 - 37.8 acres SW, NW
 - 35.0 acres SE, NW
 - 28.3 acres NE, SW
 - 36.6 acres NW, SW
 - 0.9 acres SW, SW
 - 6.0 acres SE, SE
 - Section 26
- Partial CANCELLED 11-18-25 Vol. 13, P. 123
CANCELLED 9.2 acres
chg. pt. of Div Vol. 20, P. 380 T. 2353
4.4
21.6
10.9
CANCELLED
CANCELLED
part CANCELLED-sp. or Rec. Vol. 18 P. 326

Tp. 13 S., R. 29 E., S. 30

200 CANCELLED
 Vol 18 p 328

8.1 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
~~24.1~~ acres NE $\frac{1}{4}$
 37.4 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$ ✓
 8.3 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
 31.8 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
 36.9 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
 31.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 27 ✓
 9.1 acres
 28.3 acres
 31.0 acres NW $\frac{1}{4}$
 21.3 acres
 Section 28 ✓
 10.9 acres NW $\frac{1}{4}$
 4.0 acres NW $\frac{1}{4}$
 Section 29 ✓
 Township 13 South, Range 27 East, ...
 5.1 acres NW $\frac{1}{4}$
 24.1 acres NW $\frac{1}{4}$
 6.6 acres SE $\frac{1}{4}$
 Section 29
 7.8 acres
 19.3 acres
 1.4 acres
 14.7 acres
 6.7 acres
 Section 30
 Township 13 South, Range 30 East, ...

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 17th day of March, 1959

LEMI A. STANLEY
 State Engineer

5-5224
Cert 24504
POD in SW NE
Sec. 29 T13530E
4.5 ac NE SW
1.2 ac SE SW
36.2 ac NE SE
32.2 ac NW SE
34.3 ac SW SE
36.6 ac SE SE
Sec. 20
5.6 ac NW SW
30.8 ac SW SW
12.5 ac SE SW
8.0 ac SW SE
Sec. 21
6.2 ac NE NE
16.0 ac NW NE
Sec. 25
27.2 ac NE NE
2.0 ac NW NE
36.1 ac SW NE
20.6 ac SE NE
0.5 ac NE NW
24.0 ac NW NW
37.8 ac SW NW
35.0 ac SE NW
28.3 ac NE SW
36.6 ac NW SW
0.9 ac SW SW
6.0 ac NW SE
Sec. 26
28.1 ac SW NE
37.4 ac SE NE
8.3 ac SW NW
31.8 ac SE NW
36.9 ac NE SE
31.2 ac NW SE
Sec. 27
31.0 ac NE NE
21.8 ac NW NW
Sec. 28
10.0 ac NE NE
2.0 ac NW NE
Sec. 29
T13529E
0.1 ac NW NW
24.1 ac SW NW
6.6 ac SE NW
Sec. 29
7.8 ac NE NE
19.3 ac NW NE
1.4 ac SW NE
14.7 ac SE NE
6.7 ac NE NW
Sec. 30
T13530E

T-396 (C-137)
Vol. 11, Page 358
Add'l POD
0.5 ac NE NW
24.0 ac NW NW
37.8 ac SW NW
35.0 ac SE NW
28.3 ac NE SW
36.6 ac NW SW
0.9 ac SW SW
6.0 ac NW SE
Sec. 26
28.1 ac SW NE
37.4 ac SE NE
8.3 ac SW NW
31.8 ac SE NW
36.9 ac NE SE
31.2 ac NW SE
Sec. 27
T13529E
CANCELLATION
Vol. 13 P. 123
5.6 ac NW SW
9.2 ac SW SW
Sec. 21
T13529E

T-1559 (P-77)
Vol. 13, Page 98
Add'l POD
8.5 ac NE SW
1.2 ac SE SW
34.3 ac SW SE
36.6 ac SE SE
Sec. 20
10.0 ac NE NE
2.0 ac NW NE
Sec. 29
T13529E

T-2353
Change in POD
4.4 ac SW SW
10.9 ac SE SW
Sec. 21
T13529E

Cert 46261
PODA
#1 - Blue Mountain Ditch
565'N 2320'W from E1/4 Sec. 29
SW NE Sec. 29 T13530E
#2 - Boyce Ditch
527'30"E 1817' from W1/4 Sec. 21
SW SW Sec. 21 T13529E
#3
680'N 780'W from S1/4 Sec. 21
SE SW Sec. 21 T13529E
#4
740'S 3480'W from NE Sec. 26
NE NW Sec. 26 T13529E
8.5 ac NE SW
1.2 ac SE SW
36.2 ac NE SE
32.2 ac NW SE
34.3 ac SW SE
36.6 ac SE SE
Sec. 20
21.8 ac SW SW
12.5 ac SE SW
Sec. 21
6.2 ac NE NE
16.0 ac NW NE
Sec. 25
27.2 ac NE NE
2.0 ac NW NE
36.1 ac SW NE
20.6 ac SE NE
0.5 ac NE NW
37.8 ac SW NW
35.0 ac SE NW
28.3 ac NE SW
36.6 ac NW SW
6.0 ac NW SE
Sec. 26
8.1 ac SW NE
37.4 ac SE NE
8.3 ac SW NW
31.8 ac SE NW
36.9 ac NE SE
31.2 ac NW SE
Sec. 27
9.1 ac NE NE
28.3 ac NW NE
31.0 ac NE NE
21.8 ac NW NW
Sec. 28
10.0 ac NE NE
2.0 ac NW NE
Sec. 29
T13529E
0.1 ac NW NW
24.1 ac SW NW
6.6 ac SE NW
Sec. 29
7.8 ac NE NE
19.3 ac NW NE
1.4 ac SW NE
14.7 ac SE NE
6.7 ac NE NW
Sec. 30
T13530E

T-1475 (M-204)
Vol. 13, Page 307
Change in POD
740'S 3360'W from
NE cor of Sec. 26
being in NE NW
Sec. 26 T13529E
24.0 ac NW NW
20.0 ac SW NE
Sec. 27
T13529E
POD in SW NE
Sec. 29 T13530E
0.5 ac NE NW
24.0 ac NW NW
37.8 ac SW NW
35.0 ac SE NW
28.3 ac NE SW
36.6 ac NW SW
0.9 ac SW SW
6.0 ac NW SE
Sec. 26
28.1 ac SW NE
37.4 ac SE NE
8.3 ac SW NW
31.8 ac SE NW
36.9 ac NE SE
31.2 ac NW SE
Sec. 27
T13529E

CANCELLATION
Vol. 18 P. 328
24.0 ac NW NW
20.0 ac SW NE
Sec. 27
T13529E

Cert. #48136
POD
740'S 3360'W from
NE cor of Sec. 26
being in NE NW
Sec. 26 T13529E
POD in SW NE
Sec. 29 T13530E
0.5 ac NE NW
37.8 ac SW NW
35.0 ac SE NW
28.3 ac NE SW
36.6 ac NW SW
0.9 ac SW SW
6.0 ac NW SE
Sec. 26
8.1 ac SW NE
37.4 ac SE NE
8.3 ac SW NW
31.8 ac SE NW
36.9 ac NE SE
31.2 ac NW SE
Sec. 27
T13529E

CANCELLATION
Vol. 34 P. 136
13.6 ac SW SW
1.4 ac SE SW
Sec. 21
0.6 ac NE NE
27.3 ac NW NE
15.8 ac NW NW
Sec. 28
T13529E

Cert 49909
PODA
#1 - Blue Mountain Ditch
565'N 2320'W from E1/4 Sec. 29
SW NE Sec. 29 T13530E
#2 - Boyce Ditch
527'30"E 1817' from W1/4 Sec. 21
SW SW Sec. 21 T13529E
#3
680'N 780'W from S1/4 Sec. 21
SE SW Sec. 21 T13529E
#4
740'S 3480'W from NE Sec. 26
NE NW Sec. 26 T13529E
8.5 ac NE SW
1.2 ac SE SW
36.2 ac NE SE
32.2 ac NW SE
34.3 ac SW SE
36.6 ac SE SE
Sec. 20
8.0 ac SW SW
11.1 ac SE SW
9.0 ac SW SE
Sec. 21
6.2 ac NE NE
16.0 ac NW NE
Sec. 25
27.2 ac NE NE
2.0 ac NW NE
36.1 ac SW NE
20.6 ac SE NE
0.5 ac NE NW
37.8 ac SW NW
35.0 ac SE NW
28.3 ac NE SW
36.6 ac NW SW
6.0 ac NW SE
Sec. 26
8.1 ac SW NE
37.4 ac SE NE
8.3 ac SW NW
31.8 ac SE NW
36.9 ac NE SE
31.2 ac NW SE
Sec. 27
9.1 ac NE NE
28.3 ac NW NE
31.0 ac NE NE
21.8 ac NW NW
Sec. 28
10.0 ac NE NE
2.0 ac NW NE
Sec. 29
T13529E
0.1 ac NW NW
24.1 ac SW NW
6.6 ac SE NW
Sec. 29
7.8 ac NE NE
19.3 ac NW NE
1.4 ac SW NE
14.7 ac SE NE
6.7 ac NE NW
Sec. 30
T13530E

T-5758
Remaining Right
Cert 55295
PODA
#1 - Blue Mountain Ditch
565'N 2320'W from E1/4 Sec. 29
SW NE Sec. 29 T13530E
#2 - Boyce Ditch
527'30"E 1817' from W1/4 Sec. 21
SW SW Sec. 21 T13529E
#3
680'N 780'W from S1/4 Sec. 21
SE SW Sec. 21 T13529E
#4
740'S 3480'W from NE Sec. 26
NE NW Sec. 26 T13529E
8.5 ac NE SW
1.2 ac SE SW
36.2 ac NE SE
32.2 ac NW SE
34.3 ac SW SE
36.6 ac SE SE
Sec. 20
8.0 ac SW SW
11.1 ac SE SW
9.0 ac SW SE
Sec. 21
6.2 ac NE NE
16.0 ac NW NE
Sec. 25
27.2 ac NE NE
2.0 ac NW NE
36.1 ac SW NE
20.6 ac SE NE
0.5 ac NE NW
37.8 ac SW NW
35.0 ac SE NW
28.3 ac NE SW
36.6 ac NW SW
6.0 ac NW SE
Sec. 26
8.1 ac SW NE
37.4 ac SE NE
8.3 ac SW NW
31.8 ac SE NW
36.9 ac NE SE
31.2 ac NW SE
Sec. 27
9.1 ac NE NE
28.3 ac NW NE
31.0 ac NE NE
21.8 ac NW NW
Sec. 28
10.0 ac NE NE
2.0 ac NW NE
Sec. 29
T13529E
0.1 ac NW NW
24.1 ac SW NW
6.6 ac SE NW
Sec. 29
7.8 ac NE NE
19.3 ac NW NE
1.4 ac SW NE
14.7 ac SE NE
6.7 ac NE NW
Sec. 30
T13530E

T-6028
Remaining Right
Cert 59986
PODA
#1 - Blue Mountain Ditch
565'N 2320'W from E1/4 Sec. 29
SW NE Sec. 29 T13530E
#2 - Boyce Ditch
527'30"E 1817' from W1/4 Sec. 21
SW SW Sec. 21 T13529E
#3
680'N 780'W from S1/4 Sec. 21
SE SW Sec. 21 T13529E
#4
740'S 3480'W from NE Sec. 26
NE NW Sec. 26 T13529E
8.0 ac SW SW
11.1 ac SE SW
9.0 ac SW SE
Sec. 21
6.2 ac NE NE
16.0 ac NW NE
Sec. 25
27.2 ac NE NE
2.0 ac NW NE
36.1 ac SW NE
20.6 ac SE NE
0.5 ac NE NW
37.8 ac SW NW
35.0 ac SE NW
28.3 ac NE SW
36.6 ac NW SW
6.0 ac NW SE
Sec. 26
8.1 ac SW NE
37.4 ac SE NE
8.3 ac SW NW
31.8 ac SE NW
36.9 ac NE SE
31.2 ac NW SE
Sec. 27
9.1 ac NE NE
28.3 ac NW NE
31.0 ac NE NE
21.8 ac NW NW
Sec. 28
10.0 ac NE NE
2.0 ac NW NE
Sec. 29
T13529E
0.1 ac NW NW
24.1 ac SW NW
6.6 ac SE NW
Sec. 29
7.8 ac NE NE
19.3 ac NW NE
1.4 ac SW NE
14.7 ac SE NE
6.7 ac NE NW
Sec. 30
T13530E

ERROR
Acreage called out under certificate #48136
mistakenly SW listed under certificate #46261.
This error is perpetuated through other
transfers in the chain through certificate #59986.
PROPOSED SOLUTION
Reissue certificate #59986 without
acreage listed under certificate #48136

T-5758
Confirming Right
Cert 68586
Add'l POD
750'S 1230'W from NE Sec. 26
NE NE Sec. 26 T13529E
PODA
#1 - Blue Mountain Ditch
565'N 2320'W from E1/4 Sec. 29
SW NE Sec. 29 T13530E
#2 - Boyce Ditch
527'30"E 1817' from W1/4 Sec. 21
SW SW Sec. 21 T13529E
#3
680'N 780'W from S1/4 Sec. 21
SE SW Sec. 21 T13529E
#4
740'S 3480'W from NE Sec. 26
NE NW Sec. 26 T13529E
17.7NE SW
7.0 SE SW
21.2 NE SE
32.2 ac NW SE
34.3 ac SW SE
36.6 ac SE SE
Sec. 20
2.0 ac NW NE
10.0 ac NE NE
2.0 ac NW NE
Sec. 29
T13529E

T-6028
Confirming Right
Cert 68586
PODA
2530'N 2810'E from
SE cor Sec. 20 T13529E
#1 - Blue Mountain Ditch
565'N 2320'W from E1/4 Sec. 29
SW NE Sec. 29 T13530E
#2 - Boyce Ditch
527'30"E 1817' from W1/4 Sec. 21
SW SW Sec. 21 T13529E
#3
680'N 780'W from S1/4 Sec. 21
SE SW Sec. 21 T13529E
#4
740'S 3480'W from NE Sec. 26
NE NW Sec. 26 T13529E
17.7NE SW
7.0 SE SW
21.2 NE SE
32.2 ac NW SE
34.3 ac SW SE
36.6 ac SE SE
Sec. 20
2.0 ac NW NE
10.0 ac NE NE
2.0 ac NW NE
Sec. 29
T13529E

T-6028
Confirming Right
CORRECTING CERTIFICATE
Cert 74275
PODA
#1 - Additional
2530'N 2810'E from
SE cor Sec. 20 T13529E
#2 - Blue Mountain Ditch
565'N 2320'W from E1/4 Sec. 29
SW NE Sec. 29 T13530E
#3 - Boyce Ditch
527'30"E 1817' from W1/4 Sec. 21
SW SW Sec. 21 T13529E
#4 -
680'N 780'W from S1/4 Sec. 21
SE SW Sec. 21 T13529E
#5 -
740'S 3480'W from NE Sec. 26
NE NW Sec. 26 T13529E
17.7NE SW
7.0 SE SW
21.2 NE SE
32.2 ac NW SE
34.3 ac SW SE
36.6 ac SE SE
Sec. 20
2.0 ac NW NE
10.0 ac NE NE
2.0 ac NW NE
Sec. 29
T13529E

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Grant County

IN THE MATTER OF THE APPLICATION
OF JOHN E. McCAIGE FOR THE APPROVAL
OF A CHANGE IN POINT OF DIVERSION
OF WATER FROM JOHN DAY RIVER

ORDER APPROVING
TRANSFER NO. M-209

On June 23, 1969, John E. McCaige filed an application in the office of the Water Resources Director for the 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.

Certificate of water right recorded at Page 24504, Volume 17, State Record of Water Right Certificates, in the name of Blue Mountain Ditch Co., describes an existing right of record which includes the use of not to exceed 3.16 cubic feet per second from John Day River for the irrigation of, among other lands, 0.5 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 37.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 35.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 28.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 36.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 0.9 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26; 8.1 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 37.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 36.9 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 31.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, Township 13 South, Range 29 East, W.M., with a date of priority of October 23, 1916. Water is conveyed to these lands by means of the Blue Mountain Ditch from a point of diversion located 2150 feet South and 3000 feet East from the Northwest corner of Section 29, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, Township 13 South, Range 30 East, W.M., and, for a period of the irrigation season beginning about July 1 of each year, by means of a pump at an additional point of diversion located 690 feet South and 3360 feet West from the Northeast corner of Section 26, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 13 South, Range 29 East, W.M.

The applicant herein, owner of the lands above described, proposes to discontinue the use of water by means of the Blue Mountain Ditch and to divert water for the irrigation of the above described lands throughout the irrigation season by means of the pump located 690 feet South and 3360 feet West from the Northeast corner of Section 26, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 13 South, Range 29 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 November 27, December 4 and 11, 1969.

Mr. Howard Daggett, Watermaster of District No. 4, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objection 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 from John Day River 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, and shall not exceed 3.16 cubic feet per second.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed:

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 no time need be fixed for completion as the change in point of diversion is completed.

The right to appropriate 0.19 cubic foot per second of water for the irrigation of 14.8 acres was canceled by an order of the State Engineer entered November 18, 1963. This order canceled the certificate recorded at Page 24504, State Record of Water Right Certificates, and provided for issuance of a new certificate for the remainder of the right not canceled.

It is FURTHER ORDERED that the portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the said order entered November 18, 1963, and upon receipt of proof satisfactory to the Water Resources Director of completion of the change in point of diversion authorized herein, a certificate of water right shall be issued to John E. McCaige confirming the change in point of diversion.

Dated at Salem, Oregon, this 15th day of February, 1977.

/s/ JAMES E. SEXSON
Director

GRANT/ON

NOV 08 1985

NOTICE OF INTEREST IN WATER RIGHT

RECEIVED

To: Director of Water Resources
555 13th Street, N.E.
Salem, Oregon 97310

1985
WATER RESOURCES DEPT
SAL

This is to notify you of an interest in the following described water right:

Loan Number M-50844
Borrower's Name Cowrse, Dennis Lee
Mailing Address _____

Property being served by the water:

Township 13 S Township _____ Township _____
Range 29 E Range _____ Range _____
Section 26, 27 Section _____ Section _____
Tract _____ Tract _____ Tract _____

Water Right Numbers: John Day River
Finding 3
Vol 10 Vol 10 Vol 10
P 513 P 633 P 454 M 209 38657
P 98 28768
Permit Number(s) _____
Certificate Number 25251 26027 24900 48136 36584
Irrigation District _____

The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon, 97310.

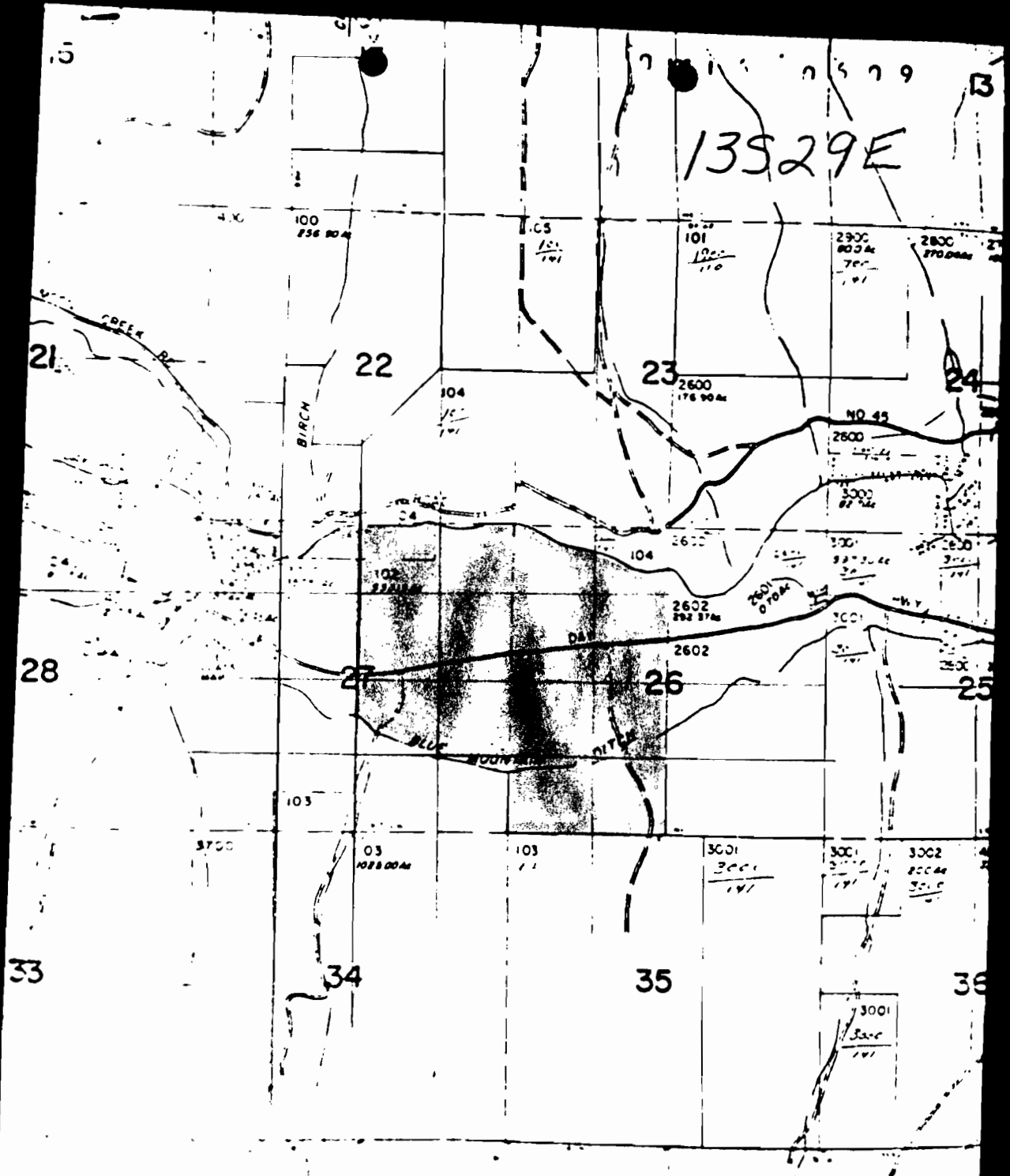
407.8 prim
236.9 supp

Attention: Butch Gehley, Appraisal Coordinator

DM
11-12-85

Attachments:

- Legal Descriptions
- Tax Lot Maps
- Please return copy to ODVA



STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That BLUE MOUNTAIN DITCH COMPANY

of Mt. Vernon, State of Oregon, 97865, 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 for the purpose of irrigation of 781.9 acres

under Permit No. 3163 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 October 23, 1916

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 9.76 cubic feet 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 29, T. 13 S., R. 30 E., W. M., SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, T. 13 S., R. 29 E., W. M., Boyce Ditch-South 27 degrees 30 minutes East 1817 feet from the W $\frac{1}{2}$ Corner, Section 21; 680 feet North and 780 feet West from the S $\frac{1}{2}$ Corner, Section 21; 740 feet South and 3480 feet West from the NE Corner, Section 26; SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section *

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-eighth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be limited to a diversion of not to exceed 1 acre foot per acre for each acre irrigated during any month prior to July 1, and thereafter 3/4 of one acre foot per acre for each acre irrigated and shall be further limited to a total diversion of not to exceed 5 acre feet per acre for each acre irrigated during the irrigation season from April 1 to September 30 of each year,

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:

SEE NEXT PAGE

* 29, T. 13 S., R. 30 E., W. M., Blue Mountain Ditch-565 feet North and 2320 feet West from the E $\frac{1}{2}$ Corner, Section 29.

8.5 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
1.2 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
36.2 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
32.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
34.3 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
36.6 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 20

21.6 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
12.5 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
9.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 21

6.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
16.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 25

27.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
2.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
36.1 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
20.6 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
0.5 acre NE $\frac{1}{4}$ NW $\frac{1}{4}$
37.8 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
35.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
28.3 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
36.6 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
0.9 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$
6.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 26

8.1 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
37.4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
8.3 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
31.8 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
36.9 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
31.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27

9.1 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
28.3 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
31.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
21.8 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 28

10.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
2.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 29

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

0.1 acre NW $\frac{1}{4}$ NW $\frac{1}{4}$
24.1 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
6.6 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 29

7.8 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
19.3 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
1.4 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
14.7 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
6.7 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 30

T. 13 S., R. 30 E., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 24504, Volume 17, State Record of Water Right Certificates, NOT canceled by the provisions of orders of the Water Resources Director entered November 18, 1963 and June 30, 1969 as well as to confirm changes in points of diversion approved by orders of the Water Resources Director entered December 13, 1961, October 29, 1963, and January 29, 1971.

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. August 24, 1978


Water Resources Director



STATE OF OREGON

INTEROFFICE MEMO

TO: Bruce Estes

DATE: July 13, 1979

FROM: Jerry S. Rodgezs
Watermaster Dist. # 4

A handwritten signature in cursive script, appearing to read "JR", written over the printed name "Jerry S. Rodgezs".

SUBJECT: A portion of P-3163 was transferred from P-3163 by transfer M-209 this 252.7 acres is now on C-48136 of which we have enclosed a copy. We noted however, that on C-46261, that this 252.7 acres is still listed on it also. We believe that this acreage should not be shown on C-46261 as it is now listed on both Certificates.
Could you clear this matter up.

RECEIVED

JUL 16 1979

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED 4

JUL 16 1979

Permit A-2-2M-377

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That DENNIS CAWRSE

of Mt. Vernon, State of Oregon, 97865, 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 for the purpose of Irrigation of 252.7 acres

under Permit No. 3163 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 October 23, 1916 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 3.16 cubic feet 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 NE 1/4 NW 1/4, Section 26, T. 13 S., R. 29 E., W. M., 740 feet South and 3460 feet West from the NE Corner, Section 26

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-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be limited to a diversion of not to exceed 1 acre foot per acre for each acre irrigated during any month prior to July 1 and shall be further limited to a total diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season from April 1 to about July 1 of each year,

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:

SEE NEXT PAGE

Basin E Vol. 1 John Day R. ab Humboldt

C-46261

0.5 acre NE $\frac{1}{4}$ NW $\frac{1}{4}$ *-290 NW $\frac{1}{4}$*
37.8 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
35.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
28.3 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
36.6 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
0.9 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 26

8.1 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$ *29.4 acres canceled 20.0 acres*
37.4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
36.9 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
31.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27

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

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered February 15, 1977 and together with certificate of water right recorded on Page 46261, Volume 38, State Record of Water Right Certificates supersedes certificate of water right recorded on Page 24504, Volume 17, State Record of Water Right Certificates.

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. June 14, 1979

James E. Sexton
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 41, page 48136



STATE OF OREGON

INTEROFFICE MEMO

*partial cancel
V18 p 328
V13 p 103*

*APR 3 1980
T. 4419*

*5/2 NE 1/4 SW 1/4
1/2 SE 1/4 SW 1/4
1/2 SW SE
3/6 SE
sec 26*

TO: Bruce Estes

DATE: April 3, 1980

*10 NENE
2 NW NE
sec 28*

FROM: Jerry Rodgers
Dist. 4

Jerry Rodgers

*NE 1/4 SW 1/4
T. 39, R. 29E*

SUBJECT: Transfer approved under S.O. Vol. 13, P. 98 on 10/29/1963

*1/2 SW 1/4 380
No. POD Vol 11 p 355*

AF136

The land involved in the above transfer application should be field checked and have a certificate issued for it. It should not be listed at all on C-46261. This is what my records show. If mine are incomplete, please send necessary information to correct my records.

Land now owned by Richard McKinnley
W Star Route
Mt. Vernon, OR 97865

RECEIVED

APR 03 1980

WALTON SOURCES DEPT
STATE OF OREGON

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

To: JERRY RODGERS, Dist. 4

Date: 4-24-80

From: LARRY TOLL (M)

Subject: Trimeter 77 S.C. Vol. 13, P 98 on 10/29/76.

CERTIFICATE 46261 CONFIRMS THE NEW POINT
OF DIVERSION AND THE LAND IRRIGATED FROM
IT UNDER THIS ORDER. THE CERTIFICATE
DID NOT IDENTIFY SPECIFICALLY WHICH LAND
WAS IRRIGATED FROM WHICH DIVERSION POINT.
I HAVE HIGHLIGHTED A COPY OF THE CERT
IN HOPE THIS WILL MAKE IT A LITTLE CLEARER.
IF YOU HAVE ANY FURTHER QUESTIONS LET ME
KNOW.

STATE OF OREGON

COUNTY OF

GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

BLUE MOUNTAIN DITCH COMPANY

of Mt. Vernon, State of Oregon, 97865, 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 for the purpose of irrigation of 781.9 acres

under Permit No. 3163 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 October 23, 1916 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 9.76 cubic feet 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 29, T. 13 S., R. 30 E., W. M., SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, T. 13 S., R. 29 E., W. M., Boyce Ditch-South 27 degrees 30 minutes East 1817 feet from the W $\frac{1}{2}$ Corner, Section 21; 680 feet North and 780 feet West from the S $\frac{1}{2}$ Corner, Section 21; 740 feet South and 3480 feet West from the NE Corner, Section 26; SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section *

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-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be limited to a diversion of not to exceed 1 acre foot per acre for each acre irrigated during any month prior to July 1, and thereafter 3/4 of one acre foot per acre for each acre irrigated and shall be further limited to a total diversion of not to exceed 5 acre feet per acre for each acre irrigated during the irrigation season from April 1 to September 30 of each year,

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:

SEE NEXT PAGE

* 29, T. 13 S., R. 30 E., W. M., Blue Mountain Ditch-565 feet North and 2320 feet West from the E $\frac{1}{2}$ Corner, Section 29.

Superseded by C-49909

8.5 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
1.2 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
36.2 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
32.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
34.3 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
36.6 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 20

~~4.4~~ ~~17.2~~ ~~21.6~~ acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
~~10.9~~ ~~1.6~~ ~~12.5~~ acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
9.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 21

6.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
16.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 25

27.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
2.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
36.1 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
20.6 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
0.5 acre NE $\frac{1}{4}$ NW $\frac{1}{4}$
37.8 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
35.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
28.3 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
36.6 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
0.9 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$
6.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 26

8.1 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
37.4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
8.3 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
31.8 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
36.9 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
31.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27

9.1 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
28.3 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
31.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
21.8 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 28

10.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
2.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 29

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

0.1 acre NW $\frac{1}{4}$ NW $\frac{1}{4}$
24.1 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
6.6 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 29

7.8 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
19.3 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
1.4 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
14.7 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
6.7 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 30

T. 13 S., R. 30 E., W. M.

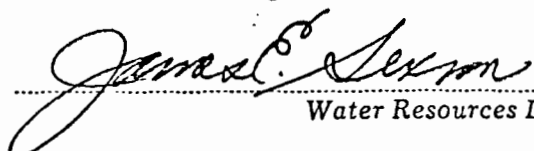
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 24504, Volume 17, State Record of Water Right Certificates, NOT canceled by the provisions of orders of the Water Resources Director entered November 18, 1963 and June 30, 1969 as well as to confirm changes in points of diversion approved by orders of the Water Resources Director entered December 13, 1961, October 29, 1963, and January 29, 1971.

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. August 24, 1978


Water Resources Director

To. 155. R. 29E, 11N.
Scale 4" = 1 mile

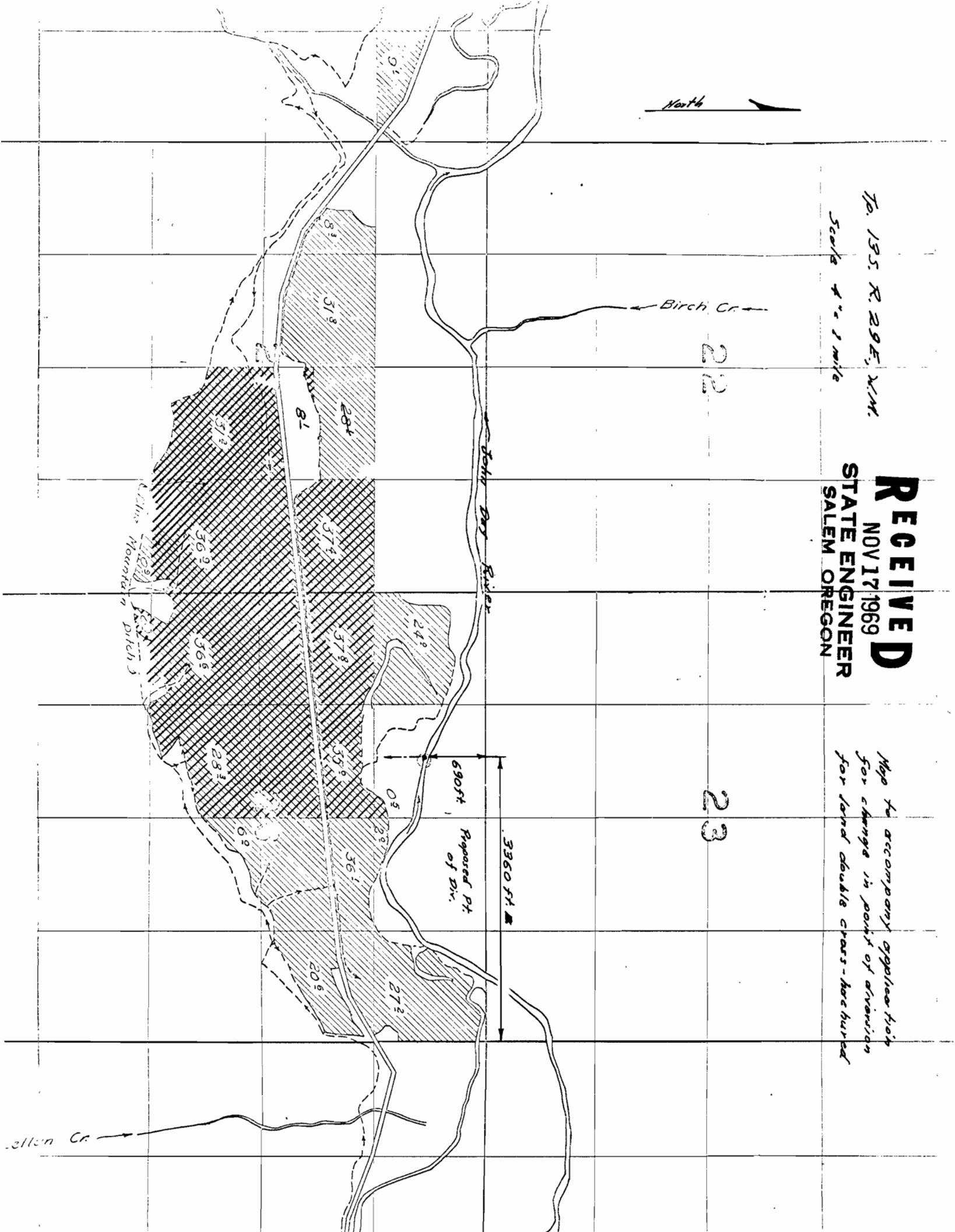
RECEIVED
NOV 17 1969
STATE ENGINEER
SALEM OREGON

Map to accompany application
for change in point of division
for land double cross-hatched

North

22

23



630 ft
Proposed Pt.
of Div.

3360 ft

Birch Cr.

Cotton Cr.

John Day River
Cotton Mountain Ditch

Parcel numbers: 81, 83, 318, 284, 374, 378, 249, 359, 361, 283, 205, 272, 362, 365, 05, 09, 01

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

To: Jerry Rogers, Watermaster

Date: August 3, 1979

From: Bruce A. Estes

Subject: July 13, memo

Jerry, your memo of July 13, 1979 regarding permit No. 3163 involved the confirming certificate 48136 under transfer M-209 as regards the placement of the same 252.7 acres previously listed under certificate 46261. You felt that we should not have it listed on both certificates, however, if you will inspect the transfers involved M-209 and C-137, you will find that certificate 48136 allows a 252.7 acres to be diverted from the pumping diversion point during the early season, April 1 to about July 1 of each year. Certificate 46261 allowed the use of the Blue Mountain Ditch for those lands in the early season and the pumping diversion afterwards, however, this was not specifically defined but was on the certificate by reference to the transfer entered December 13, 1961, which in essence relates to transfer C-137. I believe that if we had really been on our toes we could have made this more clear in the certificates, however, it is there by reference and the land should be listed on both certificates to allow the use of the pumping diversion point throughout the season.

Thanks for the response and a copy of this memo will go in both files so that should this come up again, it will be made clear.

5-3-79

Bruce

Trans #	C-137	additional POD	Keep ditch + new pump
	P-77	change POD	new pump site
	2353	" "	" " "
	M-209	" "	" " " same

Also 2 orders canceling a few acres

I issued cert 46261 as a remaining right and covered those lands canceled & C-137, P-77, & 2353.

Note C-137 only additional & order limited change to use after about July 1 each year, but not mentioned in cert 46261

Now it is time to issue confirming cert for M-209 for same lands as C-137 but ~~which~~ now eliminates ditch diversion entirely. Any comments on my proposal for rate & duty? See work sheet.

Tom

This will be 1/2 with 46-01
1/2 with 46-02 - great, change
look great but I think OK
Bruce

Info: Mrs. Dennis Course • they own place and the only div
pt. used is the same one surveyed under Transfer C-137
from John Day Riv. (John McCaige owned place for about 1 year,
The transfer appears to be same as C-137
See report for C-137.

6-14-78
JSD

To. 135. R. 29E, 21N.
Scale 4" = 1 mile

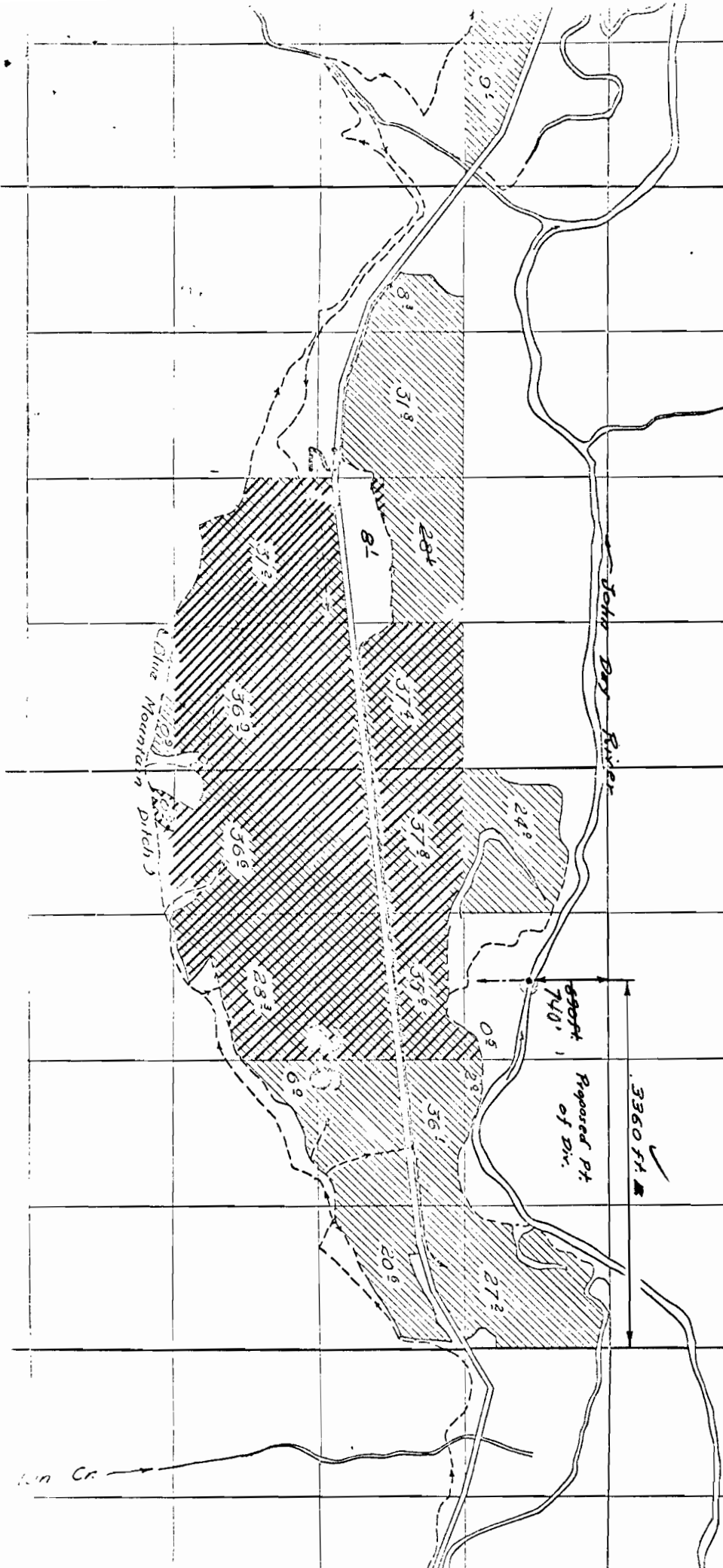
RECEIVED
NOV 17 1969
STATE ENGINEER
SALEM OREGON

Map to accompany application
for change in point of diversion
for land double cross-hatched

North

22

23



M-209

BEFORE THE STATE ENGINEER OF OREGON

Grant County

IN THE MATTER OF)
THE CANCELLATION)
OF WATER RIGHTS)

O R D E R

On June 23, 1969, John B. McCaige submitted an affidavit that he is the owner of the NW/4 NW/4, Section 26 and the SW/4 NE/4, Section 27, Township 13 South, Range 29 East, W.M., and the water rights appurtenant thereto, that he has abandoned any and all interest in and to said water rights and requests the same be canceled.

The water rights in question are:

(a) for the use of not to exceed 0.55 cubic feet per second of the waters of John Day River, tributary of Columbia River, for irrigation of 24.0 acres in NW/4 NW/4, Section 26 and 20.0 acres in SW/4 NE/4, Section 27, Township 13 South, Range 29 East, W.M., with a date of priority of October 23, 1916, and is evidenced by certificate of water right issued in the name of Blue Mountain Ditch Company and recorded at page 24504, Volume 17, State Record of Water Right Certificates;

(b) for the use of not to exceed 0.55 cubic feet per second of the waters of John Day River, tributary of Columbia River, for supplemental irrigation of 24.0 acres in NW/4 NW/4, Section 26 and 20.0 acres in SW/4 NE/4, Section 27, Township 13 South, Range 29 East, W.M., with a date of priority of April 18, 1963, and is evidenced by certificate of water right issued in the name of John B. McCaige and recorded at page 35802, Volume 27, State Record of Water Right Certificates.

That part of the water right described in paragraph (c) above, for the use of not to exceed 9.76 cubic feet of the waters of John Day River, tributary of Columbia River, for irrigation of:

8.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
1.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
36.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
32.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
34.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
36.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 20

21.6 acres in S $\frac{1}{2}$ SW $\frac{1}{4}$
12.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
9.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 21

6.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
16.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 25

27.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
2.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
36.1 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
20.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
0.5 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$
37.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
35.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
28.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
36.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
0.9 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$
6.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 26

8.1 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
37.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
6.3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
31.8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
36.9 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
31.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27

9.1 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
28.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
31.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
21.8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 28

10.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
2.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 29

Township 13 South, Range 29 East, W.M.,

0.1 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$
24.1 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
6.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 29

7.6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
19.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
1.4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$

14.7 acres in S $\frac{1}{2}$, E $\frac{1}{2}$,
 6.7 acres in N $\frac{1}{2}$, W $\frac{1}{2}$,
 Section 30

Township 13 South, Range 30 East, W.M.,

with a date of priority of October 23, 1916, as evidenced by certificate of water right recorded at page 24504, Volume 17, State Record of Water Right Certificates, is not in question in these proceedings;

And that part of the water right described in paragraph (b) above, for the use of not to exceed 3.19 cubic feet per second, being 0.23 cubic foot per second for primary irrigation and 2.96 cubic feet per second for supplemental irrigation of the waters of John Day River, tributary of Columbia River for:

Supplemental	Primary	
0.5 acre		NE $\frac{1}{4}$, NW $\frac{1}{4}$
35.8 acres		S $\frac{1}{2}$, NW $\frac{1}{4}$
34.0 acres		SE $\frac{1}{4}$, NW $\frac{1}{4}$
24.6 acres	1.4 acres	NE $\frac{1}{4}$, S $\frac{1}{2}$
35.4 acres	2.4 acres	NW $\frac{1}{4}$, SW $\frac{1}{4}$
0.9 acre	2.7 acres	SW $\frac{1}{4}$, S $\frac{1}{2}$
	Section 26	
6.7 acres		SW $\frac{1}{4}$, NE $\frac{1}{4}$
35.8 acres		SE $\frac{1}{4}$, NE $\frac{1}{4}$
36.0 acres	0.6 acre	NE $\frac{1}{4}$, SW $\frac{1}{4}$
27.2 acres		NW $\frac{1}{4}$, S $\frac{1}{2}$
	2.0 acres	SE $\frac{1}{4}$, SW $\frac{1}{4}$
	Section 27	

Township 13 South, Range 29 East, W.M.,

with a date of priority of April 18, 1963, as evidenced by certificate of water right recorded at page 35802, Volume 27, State Record of Water Right Certificates, is not in question in these proceedings.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the State Engineer that the water right has been abandoned by him and that he desires cancellation thereof, the State Engineer shall enter an order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the right for the use of not to exceed 0.55 cubic foot per second of the waters of John Day River,

tributary of Columbia River, for irrigation of 24.0 acres in NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 26 and 20.0 acres in SW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 27, Township 13 South, Range 29 East, W.M., with a date of priority of October 23, 1916, as evidenced by certificate of water right recorded at page 24504, Volume 17, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that the right for the use of not to exceed 0.55 cubic foot per second of the waters of John Day River, tributary of Columbia River, for supplemental irrigation of 24.0 acres in NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 26 and 20.0 acres in SW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 27, Township 13 South, Range 29 East, W.M., with a date of priority of April 18, 1963, is canceled.

It is FURTHER ORDERED that certificate of water right recorded at page 35802, Volume 27, State Record of Water Right Certificates, is canceled, and in lieu thereof a certificate be issued to John A. McJaige covering that part of the water right not in question, which is for the use of not to exceed 3.19 cubic feet per second of the waters of John Day River, tributary of Columbia River, being 0.23 cubic foot per second for primary irrigation and 2.96 cubic feet per second for supplemental irrigation of:

Supplemental	Primary	
0.5 acre		NE $\frac{1}{4}$, NW $\frac{1}{4}$
35.8 acres		SW $\frac{1}{4}$, NW $\frac{1}{4}$
34.0 acres		SE $\frac{1}{4}$, NW $\frac{1}{4}$
24.6 acres	1.4 acres	NE $\frac{1}{4}$, SW $\frac{1}{4}$
35.4 acres	2.4 acres	NW $\frac{1}{4}$, SW $\frac{1}{4}$
0.9 acre	2.7 acres	SW $\frac{1}{4}$, SW $\frac{1}{4}$

Section 26

6.7 acres		SW $\frac{1}{4}$, NE $\frac{1}{4}$
35.8 acres		SE $\frac{1}{4}$, NE $\frac{1}{4}$
36.0 acres	0.6 acre	NE $\frac{1}{4}$, SE $\frac{1}{4}$
27.2 acres		NW $\frac{1}{4}$, SE $\frac{1}{4}$
	2.0 acres	SE $\frac{1}{4}$, SE $\frac{1}{4}$

Section 27

Township 13 South, Range 29 East, W.M.,

with a date of priority of April 18, 1963.

Dated at Salem, Oregon, this 30th day of June, 1969.

/s/ CHRIS L. WHEELER
State Engineer

378-3066

T M-209

February 24, 1977

John E. McCaige
Flying Hat Ranch
Mt. Vernon, Oregon 97865

Dear Mr. McCaige:

Enclosed is a certified copy of the order of the Water Resources Director approving your application for a change in point of diversion of water from John Day River.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:whh
Enclosure
cc: Howard Daggett, Watermaster, Dist. No. 4

RECEIVED JUN 23 1969

STATE ENGINEER SALEM, OREGON

RECEIVED NOV 17 1969

STATE ENGINEER SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, John E. McCaige (Name of applicant)

of Flying Hat Ranch, Mt. Vernon, County of Grant (Postoffice)

State of Oregon, do hereby make application for change in 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 Blue Mt. Ditch & pump at additional point of diversion for period beginning about July 1 of each year Blue Mt. Ditch

4. The point of diversion is located 2150 ft. S and 3000 ft. E from the NW corner of Section 29 being within the SW 1/4 NE 1/4 (N. or S.) (E. or W.)

Section 29 (Section or subdivision)

of Section 29 Tp. 13 S R. 30E W. M., in the County of Grant (No. N. or S.) (No. E. or W.)

See Remarks for location of additional diversion

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this point transfer. If for any other use, indicate place of use.

Table with columns for Twp., Range, Sec., and sub-sections (NE 1-4, NW 1-4, SW 1-4, SE 1-4) containing handwritten acreage values.

part 252.7 ac

Total 840.7 ac 10.5 cfs

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

252.7 ac 3.16 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? October 23, 1916

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

of permit 3163

10. Do you hold a water right certificate? 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) (Blue Mountain Ditch Company)

12. Is the water right recorded in your name? **Transfer No. C-137 - John Cawrse**
(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.

14. The proposed point of diversion is located **690** ft. **S** and **3360** ft. **N** from the **NE** corner of **Section 26** being within the **NE $\frac{1}{4}$ NW $\frac{1}{4}$** of Section **26** Tp. **13S** R. **29E** W. M.,
(Smallest legal subdivision) (N. or S.) (E. or W.) (No. N. or S.) (No. E. or W.)
in the county of **Grant**. The name of the ditch to be used is **pump (see remarks)**.

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 **In order to make better use of the water by use of sprinkler irrigation which when used out of the Blue Mountain ditch is very inefficient as well as costly.**

3111 177

AFFIDAVIT OF APPLICANT

STATE OF OREGON, }
County of Grant } ss.

I, John E. McCaige, 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 2nd day of June, 1969.

John E. McCaige
(Name of applicant)

Subscribed and sworn to before me this 2nd day of June, 1969.

[Notarial Seal]

Grace K. Williams
NOTARY PUBLIC FOR OREGON

My commission expires 4-12-71.

Remarks Additional point of diversion is located 690' S. & 3360' W. from the NE corner of Section 26, being within the NE¹/₄ NW¹/₄ of Section 26, T. 13 S., R. 29E., W.M., in the county of Grant. Note: This diversion point was approved by an order of the State Engineer entered December 13, 1961 for the irrigation of the lands herein described, beginning about July 1st of each year. This application proposes to discontinue use of water from the point of diversion at the Blue Mt. Ditch for the entire year and to use the diversion point described above which is the point described in Item No. 14, for the irrigation of the lands herein described for the entire irrigation season.

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.

NOTICE OF FILING APPLICATION FOR A
CHANGE IN POINT OF DIVERSION OF WATER

Notice is given hereby that John E. McCaige has filed an application for the approval of a change in point of diversion of water from John Day River.

Certificate of water right issued to Blue Mountain Ditch Company and recorded at page 24504, Volume 17, State Record of Water Right Certificates, confirmed a right to the use of 10.5 cubic feet per second of water from John Day River for the irrigation of, among other lands, 0.5 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 37.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 35.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 28.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 36.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 0.9 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, 8.1 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 37.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 36.9 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 31.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, T. 13 S., R. 29 E., W.M., with a date of priority of October 23, 1916. Water is conveyed to these lands by means of the Blue Mountain Ditch from a point of diversion located 2150 ft. S and 3000 ft. E from the NW corner of Sec. 29 being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 29, T. 13 S., R. 30 E., W.M. and for a period of the irrigation season beginning about July 1 of each year by means of a pump at an additional point of diversion located 690 ft. S and 3360 ft. W from the NE corner of Sec. 26 being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 26, T. 13 S., R. 29 E., W.M.

The applicant herein, owner of the lands above described, proposes to discontinue the use of water by means of the Blue Mountain Ditch and to divert water for the irrigation of the above described lands throughout the irrigation season by means of the pump located 690 ft. S and 3360 ft. W from the NE corner of Sec. 26 being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 26, 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, Oregon, on January 21, 1970, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any objections shall be prepared in writing, one copy to be served on John E. McCaige, Flying Hat Ranch, Mt. Vernon, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 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 State Engineer without a hearing.

Dated at Salem, Oregon, this 18th day of November, 1969.

CHRIS L. WHEELER
State Engineer

RECEIVED

FEB 10 1970

**STATE ENGINEER
SALEM, OREGON**

**STATE
ENGINEER**

WATER RESOURCES DEPARTMENT

P.O. BOX 261 • • CANYON CITY, OREGON • • 97820 • • Ph. 575-0119

February 9, 1970

FILE NO. M-209

TOM McCALL
GOVERNOR

CHRIS L. WHEELER
State Engineer

Mr. Chris L. Wheeler
State Engineer
516 Public Service Building
Salem, Oregon 97310

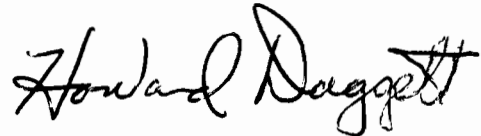
Attention: Mr. Trevor Jones, Assistant

Dear Mr. Jones,

In my opinion Mr. John E. McCaige's change in point of diversion of water from the John Day River may be made without injury to existing rights..

Provision No. 1 should be incorporated in the order.

Very truly yours,



Howard Daggett
Watermaster Dist. 4

ER

GRANT COUNTY

Blue Mountain Eagle

M-209

 BOX 48
 JOHN DAY, OREGON 97845
 (503) 575-0710
DATE JAN 31 1969

Chris F. Wheeler, State Engineer
 Public Service Building
 Salem, Oregon

DETACH AND RETURN THIS STUB WITH YOUR REMITTANCE. CANCELED CHECK IS YOUR RECEIPT.

DATE	DESCRIPTION	INVOICE NO.	CHARGES	V	CREDITS	BALANCE
12/26/69	BALANCE FORWARD	Notice - diversion of water - John & The Eagle			2/1/69	31 66

RECEIVED
FEB 6 1970

RECEIVED
FEB 8 1970

STATE ENGINEER
SALEM, OREGON

STATE ENGINEER
SALEM, OREGON

Paid 2/5/70
GRANT COUNTY
BLUE MOUNTAIN EAGLE
JOHN DAY, OREGON

M-209

February 4, 1970

Blue Mountain Eagle
Post Office Box 48
John Day, Oregon 97845

Gentlemen:

Enclosed is our check No. 3469 in the amount of \$31.66
in payment of your statement of January 31, 1970.

Please receipt the enclosed statement and return it to
this office. Thank you.

Very truly yours,

Trevor Jones
Assistant

slv

Enclosure

RE: M-209

February 2, 1970

John E. McCaige
Flying Hat Ranch
Mt. Vernon, Oregon 97865

Dear Mr. McCaige:

This will acknowledge receipt of the \$2.66 requested in my letter of January 26, 1970, for which our receipts numbered 176³³ and 176³⁴ are enclosed.

Your transfer application number M-209 is now in satisfactory form and the appropriate action will be taken.

Very truly yours,

Larry W. Jebousek
Assistant

LWJ:mfb

Enclosures



**STATE
ENGINEER**

RECEIVED
JAN 29 1970
STATE ENGINEER
SALEM, OREGON

WATER RESOURCES DEPARTMENT

516 PUBLIC SERVICE BUILDING • SALEM, OREGON • 97310 • Ph 364-2171

TOM McCALL
GOVERNOR

RE: M-209

CHRIS L. WHEELER
State Engineer

January 26, 1970

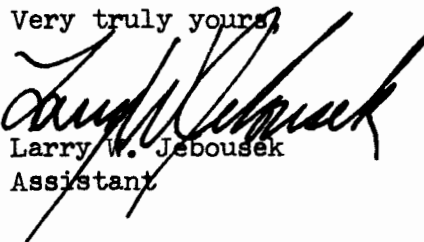
John E. McCaige
Flying Hat Ranch
Mt. Vernon, Oregon 97865

Dear Mr. McCaige:

We have received a billing from the Blue Mountain Eagle newspaper for \$31.66 for the publication of notice of your proposed change in point of diversion. On June 23, 1969, you submitted a \$30.00 deposit for the publication of notice. Therefore, an additional \$1.66 will be required.

A \$1.00 fee will be required to record the new certificate to describe the right when your proposed changes are made. Upon receipt of the additional fees, appropriate action on your application will be taken.

Very truly yours,


Larry W. Jebousek
Assistant

LWJ:mfb



**STATE
ENGINEER**

RECEIVED
JAN 27 1970
STATE ENGINEER
SALEM OREGON

WATER RESOURCES DEPARTMENT

P.O. BOX 261 • • CANYON CITY, OREGON • • 97820 • • Ph. 575-0119
January 26, 1969

TOM McCALL
GOVERNOR

CHRIS L. WHEELER
State Engineer

FILE NO. G-81
M-209

Mr. Chris L. Wheeler
State Engineer
516 Public Service Building
Salem, Oregon 97310

Attention: Mr. Trevor Jones, Assistant

Dear Mr. Jones,

In my opinion Mr. J. H. Guernsey's change in point
of diversion of water from Canyon Creek may be made
without injury to existing rights,

Please send me a copy of the map that John E. McCaige
submitted for a change in point of diversion so I can
do a more complete study. This is file No. M-209.

Copy of map filed

Very Truly yours,

Howard Daggett
Watermaster Dist. 4

RE: M-209

January 26, 1970

John E. McCaige
Flying Hat Ranch
Mt. Vernon, Oregon 97865

Dear Mr. McCaige:

We have received a billing from the Blue Mountain Eagle newspaper for \$31.66 for the publication of notice of your proposed change in point of diversion. On June 23, 1969, you submitted a \$30.00 deposit for the publication of notice. Therefore, an additional \$1.66 will be required.

A \$1.00 fee will be required to record the new certificate to describe the right when your proposed changes are made. Upon receipt of the additional fees, appropriate action on your application will be taken.

Very truly yours,

Larry W. Jebousek
Assistant

LWJ:mfb

PRINTING

GRANT COUNTY
Blue Mountain EagleP.O. BOX 48
SALEM, OREGON 97845
(503) 575-0710Date DEC 31 1969

Chris L. Wheeler, State Engineer
Public Service Building
Salem, Oregon

DETACH AND RETURN THIS STUB WITH YOUR REMITTANCE. CANCELED CHECK IS YOUR RECEIPT.

DATE	DESCRIPTION	INVOICE NO.	CHARGES	V	CREDITS	BALANCE
5/31/69	BALANCE FORWARD					42 78
6/11	Roa				24 38	18 40
6/6	Water Diversion Geo. Studdfield		24 38			42 78
6/19	Roa				42 78	—
10/11	Notice - Diversion of water - John E. McCaig		31 66			31 66
12/11	Notice - Diversion of water - J. H. Guernsey		22 67			54 33
12/26	Roa. Guernsey water diversion				22 67	31 66

RECEIVED
JAN 7 1970
STATE ENGINEER
SALEM OREGON

RE: M-209

December 22, 1969

John E. McCaige
Flying Hat Ranch
Mt. Vernon, Oregon 97865

Dear Mr. McCaige:

Publication of notice in connection with your transfer filed as M-209 amounted to \$31.66 or \$1.66 more than the deposit made for that purpose.

Also, the last paragraph of the order, when entered approving your application for a change in point of diversion, will provide for the issuance of two new certificates. Therefore, we will need \$2.00 to cover the cost of having these certificates recorded in the Grant County records.

Upon receipt of the additional \$3.66, we shall make payment to the newspaper for publishing the notice and provide for the issuance of the certificates after the order is entered.

Very truly yours,

Wayne J. Overcash
Assistant

WJO:vjm

30 18P

AFFIDAVIT OF PUBLICATION

STATE OF OREGON }
County of Grant } ss.

I, John R. Moran, being first duly sworn, depose and say that I am the owner, editor, publisher, manager, principal clerk of the GRANT COUNTY 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

aforsaid county and state; that the Notice of Filing Application for a change in Point of Diversion of Water - John E. McCaige, a printed copy of which is hereto at-

tached, was published in the entire issue of said newspaper for Three

successive and consecutive weeks in the following issues: _____

November 27, December 4 and December 11, 1969

John R. Moran

Subscribed and sworn to before me this 15th day of December,

1969

Anna E. Moran
Notary Public for Oregon

My commission expires May 20, 1973.

Cost of this publication was \$ 31.66

NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT OF DIVERSION OF WATER

Notice is given hereby that John E. McCaige has filed an application for the approval of a change in point of diversion of water from John Day River.

Certificate of water right issued to Blue Mountain Ditch Company and recorded at page 24504, Volume 17, State Record of Water Right Certificates, confirmed a right to the use of 10.5 cubic feet per second of water from John Day River for the irrigation of, among other lands, 0.5 acre in NE¹/₄ NW¹/₄, 37.8 acres in SW¹/₄ NW¹/₄, 35.0 acres in SE¹/₄ NW¹/₄, 28.3 acres in NE¹/₄ SW¹/₄, 36.6 acres in NW¹/₄ SW¹/₄, 0.9 acre in SW¹/₄ SW¹/₄, Sec. 26, 8.1 acres in SW¹/₄ NE¹/₄, 37.4 acres in SE¹/₄ NE¹/₄, 36.9 acres in NE¹/₄ SE¹/₄ and 31.2 acres in NW¹/₄ SE¹/₄, Sec. 27, T. 13 S., R. 29 E., W.M., with a date of priority of October 23, 1918. Water is conveyed to these lands by means of the Blue Mountain Ditch from a point of diversion located 2150 ft. S and 3000 ft. E from the NW corner of Sec. 29 being within the SW¹/₄ NE¹/₄ of Sec. 29, T. 13 S., R. 30 E., W.M. and for a period of the irrigation season beginning about July 1 of each year by means of a pump at an additional point of diversion located 690 ft. S and 3360 ft. W from the NE corner of Sec. 26 being within the NE¹/₄ NW¹/₄ of Sec. 26, T. 13 S., R. 29 E., W.M.

The applicant herein, owner of the lands above described, proposes to discontinue the use of water by means of the Blue Mountain Ditch and to divert water for the irrigation of the above described lands throughout the irrigation season by means of the pump located 690 ft. S and 3360 ft. W from the NE corner of Sec. 26 being within the NE¹/₄ NW¹/₄ of Sec. 26, 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, Oregon, on January 21, 1970, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any objections shall be prepared in writing, one copy to be served on John E. McCaige, Flying Hat Ranch, Mt. Vernon, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 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 State Engineer without a hearing.

Dated at Salem, Oregon, this 18th day of November, 1969.

CHRIS L. WHEELER
State Engineer

RECEIVED
DEC 18 1969
STATE ENGINEER
SALEM OREGON

M-209

November 18, 1969

Mr. Howard Daggett
Watermaster District #4
Post Office Box 261
Canyon City, Oregon 97820

Dear Mr. Daggett:

Enclosed is a copy of notice for publication in the November 27, December 4 and 11, 1969, issues of the Blue Mountain Eagle.

Would you please advise if, in your opinion, the proposed change in point of diversion may be made without injury to existing rights and which provision for the installation of measuring devices you feel should be incorporated in the order. Thank you.

Very truly yours,

Trevor Jones
Assistant

slh

Enclosure

M-209

November 18, 1969

Blue Mountain Eagle
John Day, Oregon 97845

Gentlemen:

Enclosed is a notice for publication in the November 27,
December 4 and 11, 1969, issues of your newspaper.

If, for any reason, you cannot publish this notice on the
dates specified above, please return it to this office.

Upon completion, please forward an affidavit of publication
and statement for this service to this office.

Very truly yours,

Trevor Jones
Assistant

slh

Enclosure
cc: John E. McCaige

RE: M-209

August 25, 1969

John E. McCaige
Flying Hat Ranch
Mt. Vernon, Oregon 97865

Dear Mr. McCaige:

On June 27, 1969, we corresponded with you regarding the map which is to accompany your application for a change in point of diversion of water from the John Day River for the irrigation of a portion of the lands described in certificate No. 24504.

We have been withholding action on your application until the required map showing the proposed change is received.

If you are unable to find the map which was to accompany your application, it will be necessary to have another map drawn. Therefore, I am returning your application so that you may have a map produced showing the proposed point of diversion and lands, as described on the application, to be irrigated from the proposed point of diversion.

Upon receipt of your application and accompanying map, further action on your proposals will be taken.

Very truly yours,

Wayne J. Overcash
Assistant

WJO:skf

Enclosures

June 27, 1969

File #M-209

John E. McCaige
Flying Hat Ranch
Mt. Vernon, Oregon 97365

Dear Mr. McCaige:

This will acknowledge receipt of your application for a change in point of diversion of water from John Day River and fees of \$25.00 and deposit for publication of notice of \$30.00, for which our receipts No. 15118 and No. 15119 are enclosed.

Also acknowledged is receipt of the affidavit providing for the cancelation of parts of the rights under certificate No. 24504 and certificate No. 35802.

The application for a change in point of diversion has been filed as Transfer No. M-209 and is in satisfactory form except that the map describing the proposed change was not received.

I believe a map describing your proposed change accompanied my letter of April 14, 1969. If you have this map, will you please forward it to this office, for a map describing your proposals must accompany your application for a transfer of water right.

Very truly yours,

Wayne J. Overcash
Assistant

WJO:skf

Enclosures

Township 135

Range 29E

