

## Records Research Request

Date Requested: 6/26/25

Information Requested: water right / well log  
(Type of Request)

Requested By: cuppercreeklandco@gmail.com

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

Property Location: \_\_\_\_\_

T-R-S 7-28 TL 3300 / 8-28 TL 600 Taxlot: \_\_\_\_\_

Additional Properties: \_\_\_\_\_

Mail to: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone #(s): \_\_\_\_\_ Fax: \_\_\_\_\_

Mail to: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone #(s): \_\_\_\_\_ Fax: \_\_\_\_\_

Date Request was Complete: 8/4/25

Research Completed By: 

Comments: \_\_\_\_\_

Time (hrs / \$): \_\_\_\_\_  
Copies (# / \$): \_\_\_\_\_  
Total Bill (\$): \_\_\_\_\_

## **JULSRUD Eric W \* WRD**

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**From:** Julie Mansfield Smith <coppercreeklandco@gmail.com>  
**Sent:** Thursday, June 26, 2025 3:42 PM  
**To:** JULSRUD Eric W \* WRD  
**Subject:** Water rights/well logs on Forrest Legacy Ranch

Eric,

I dont know where either would be so if there is any please send.

L R Forrest Legacy Ranch LLCT8S R28E TL600 /T7S R28E TL3300

### **Julie Mansfield Smith**

#### **Copper Creek Land Company**

Principal Broker/Owner

41909 Copper Creek Rd.

Kimberly OR 97848

541-934-2946 office

541-519-6891 cell

[coppercreeklandco@gmail.com](mailto:coppercreeklandco@gmail.com)

[www.coppercreeklandcompany.com](http://www.coppercreeklandcompany.com)

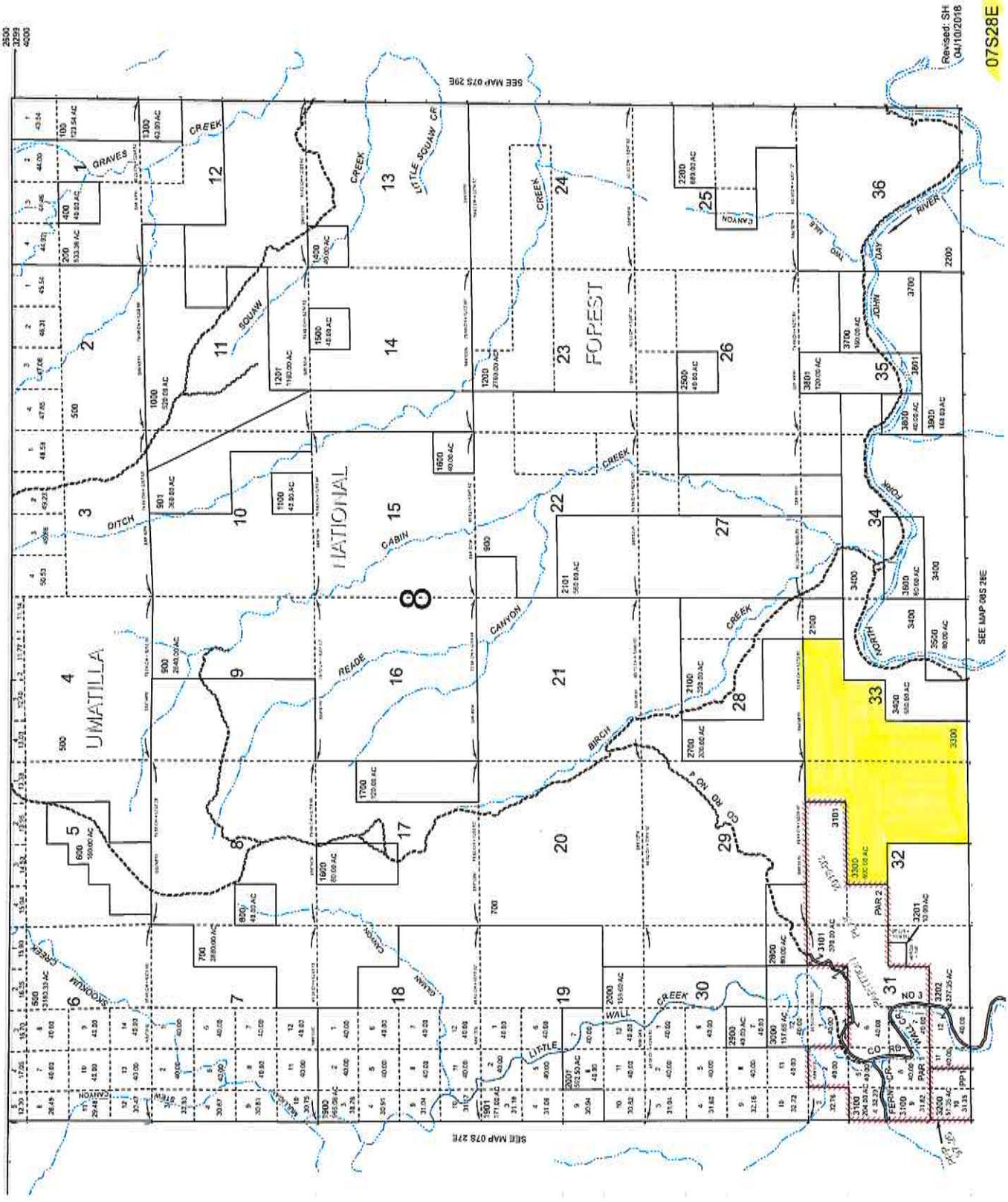
Oregon License#950300098

**No warranty or representation, express or implied, is made as to the accuracy of the information contained herein; all information contained herein is subject to change, errors, and omission and is subject to your independent verification. Neither Julie Mansfield Smith, nor Copper Creek Land Company, LLC. assumes liability for inaccuracy contained herein.**

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

Cancelled  
200  
210  
2400  
2600  
3299  
4000

MORFROW COUNTY



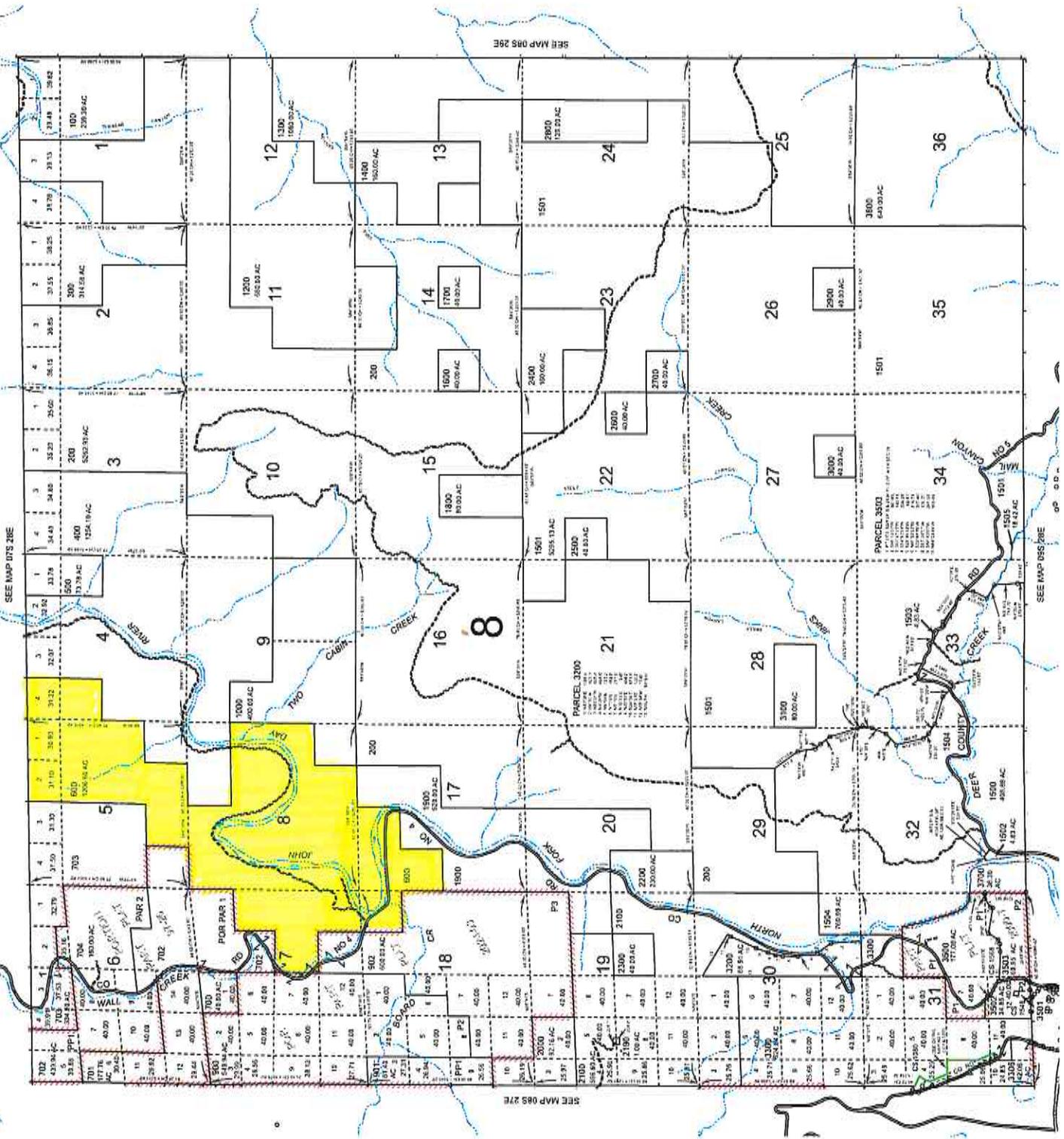
SEE MAP 07S 27E

SEE MAP 07S 29E

SEE MAP 08S 28E

Conte/bed  
3305  
795  
800  
1100  
2201  
3302  
3400  
3600

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY



STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That OTHA C. AND RUTH C. STEPHENS

of Heppner, State of Oregon, has a right to the use of the waters of Cox Spring tributary of Board Creek for the purpose of Irrigation, Domestic and Stock

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Grant County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 15, at page 461; that the priority of the right thereby confirmed dates from 1903

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/40 cubic foot per second per acre irrigated to June 1 and 1/80 cubic foot per second per acre thereafter; further limited to one acre-foot per calendar month to June 1 and four acre-feet per acre during season April 1 to Sept. 30, measured at point of diversion.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Irrigation & Stock

0.5 acre in NE 1/4 SE 1/4 Section 13, T. 8 S., R. 27 E., W. M.

Place of use for Domestic

Section 18, T. 8 S., R. 28 E., W. M.

Handwritten notes: It is unclear where this domestic was established however it may fall on Tax lot 600 of T. 8 S. R. 28 E. W.M. 8/9/2005

And said right shall be subject to all other conditions and limitations contained in said decree. 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 1st day of May, 1959

LEWIS A. STANLEY State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 25840

25840

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
<del>253800</del> 253801 Starrett, James A., Dayville, Oregon. (Proof No. 1250)	1680		9.0	Irrigation	A.P. Snyder ditch and flood irrigation	John Day River	7.8 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 35, T. 12 S. R. 26 E. W. M. 1.2 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> Section 1, T. 13 S. R. 26 E. W. M.
							<i>ch. pt. of diversion Sp. Cr. Vol. 26, P. 111</i>
<del>253800</del> State Land Board of Oregon, G. G. Brown, Clerk, Salem, Oregon. (Proof No. 1251)	1901		15.5	Irrigation and stock	Ditches	Bissel Creek	5.3 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> (Lot 4) Section 3, T. 14 S. R. 32 E. W. M. 8.1 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 3, T. 14 S. R. 32 E. W. M. .6 acre in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> (Lot 1) Section 4, T. 14 S. R. 32 E. W. M. 1.5 acre in NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 4, T. 14 S. R. 32 E. W. M.
<del>253800</del> 30828 + 46867 Stephens, J. E., Rock Creek, Oregon. (Proof No. 1255)	1883		46.4	Irrigation	Ditch	Rock Creek	19 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Section 24, T. 1 N. R. 20 E. W. M. 4.6 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Section 24, T. 1 N. R. 20 E. W. M. 1.6 acre in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> Section 19, T. 1 N. R. 21 E. W. M. 21.2 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 19, T. 1 N. R. 21 E. W. M.
							(See Findings paragraph 13, page 26.)
(Proof No. 1256)	1884		12.4	Irrigation	Unnamed ditch	Rock Creek	9.6 acres in SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 13, T. 1 N. R. 20 E. W. M. 2.8 acres in SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> Section 24, T. 1 N. R. 20 E. W. M.
							(See Findings paragraph 13, page 26.)
<del>253810</del> Stephens, Otha C. and Ruth C., Heppner, Oregon. (Proof No. 1257)	1903		.5	Irrigation domestic and stock	ditches and pipe-line	Cox Spring trib. of Board Creek	.5 acres in NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> Section 15, T. 8 S. R. 27 E. W. M. Place of use for domestic Section 18, T. 8 S. R. 28 E. W. M.
<del>253811</del> Stephens, W. H., Fossil, Oregon. (Proof No. 1258)	1871		14.8	Irrigation	McQuinn ditch	Butte Creek and springs trib. of Butte Creek	8 acres in SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 1, T. 7 S. R. 21 E. W. M. 6.8 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> Section 12, T. 7 S. R. 21 E. W. M.
<del>253812</del> Stephenson, Oren, Box 72, Prairie City, Oregon. (Proof No. 1259)	1874		2.86	Irrigation	Seepage water from ice pond ditch	Sharps Creek branch of Strawberry Creek	2.86 acres in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 11, T. 13 S. R. 33 E. W. M.
							(NOTE: This land also has a supplemental supply from John Day River through the Prairie Lower Ditch with a priority of Apr. 12, 1915, under Permit No. 2887, Certificate 2854.)
<del>253813</del> (Proof No. 1260)	1900		1	Irrigation	Flow Furrow ditch	Jeff Davis Creek	1 acre in NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> Section 15, T. 12 S. R. 34 E. W. M.
<del>253814</del> Stephenson, Zoe A., Baker, Oregon. (Proof No. 1261)	1877		120	Irrigation domestic and stock	Indian Creek ditch	Indian Creek	10 acres in NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 40 acres in NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 40 acres in SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> 30 acres in SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> Section 23, T. 13 S. R. 33 E. W. M.
							(NOTE: Claimant also has rights under State Engineer's Permit No. E. 62, Certificate No. 2057. See Findings paragraph 18, page 32.)



STATE OF OREGON  
COUNTY OF GRANT  
CERTIFICATE OF WATER RIGHT

This is to Certify, That E. C. SCHAFER

of Monument, 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 Board Creek, a tributary of North Fork John Day River for the purpose of Irrigation under Permit No. 8033 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 27, 1927;

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 0.2 cubic foot per second.

The point of diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 18, Township 3S, Range 28E, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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 in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows: 5 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 7, 5 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 8, 6 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 17, and 1 acre in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 18, Township 3 South, Range 28 East, Willamette Meridian, in Grant County, Oregon.

The right to the use of the water for any purpose is restricted to the lands or place of use herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 5728, Oregon Laws.

WITNESS the signature of the State Engineer,

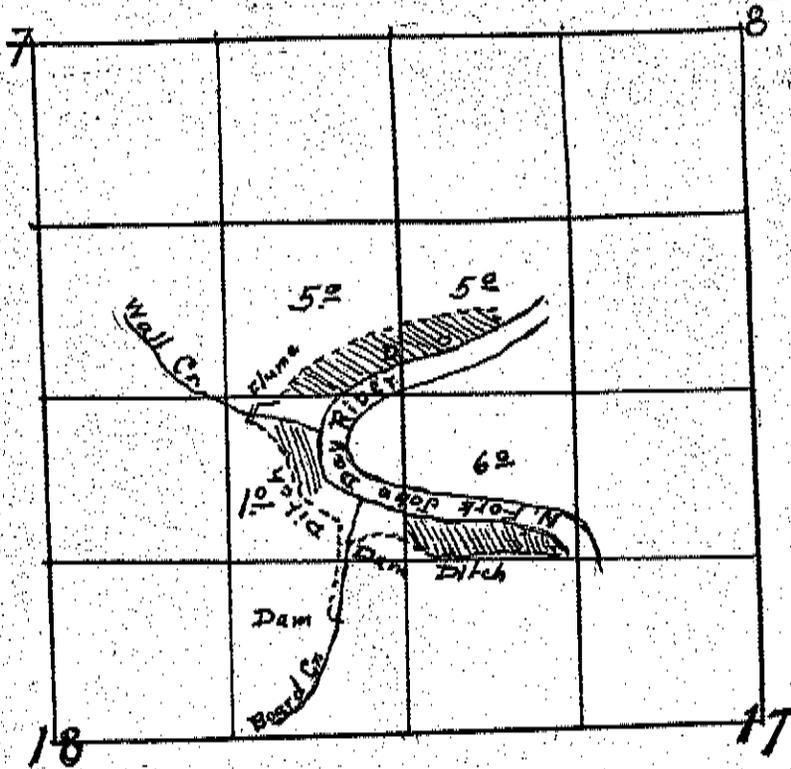
affixed this 28th day  
of October, 1931

CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 9, page 9211.

P-8033  
9211



SE $\frac{1}{4}$  Sec. 7, SW $\frac{1}{4}$  Sec. 8, NW $\frac{1}{4}$  Sec. 17, NE $\frac{1}{4}$  Sec. 18. T. 8 S. R. 28 E

To accompany application of E.C. Schafer.

Application No. 11594 11594  
Permit No. 8033



## Important Disclaimer

This water rights research was conducted by staff at the Watermaster's office located in Canyon City, Oregon. Although every effort has been made to ensure an accurate search, the following discrepancies may occur:

- Acreage shown with a +/- symbol are approximations of the amount of water right on a tax lot. This could mean that a water right does not lie entirely within the tax lot requested or there is some other doubt as to the actual acreage indicated.
- If the recipient of the research wishes to know more accurately the amount of water rights appurtenant to their property they may want to consider hiring a surveyor who offers services to assemble a complete "water right portfolio". Individuals or businesses who perform this type of work can provide more detailed information on the amount of water right acreages on their property and better determine totals of legal flow or rate for each tax lot in question.
- Although a property may have water rights of record, if they have undergone five successive years of non-use they may be subject to cancellation under ORS 540.610. For a copy of this statute or more information, please contact the Watermaster's office.
- Some research may indicate water rights appurtenant to the property may be in "permit" form or may be in "transfer" form. These forms of a water right are a valid water right of record but are in an "Inchoate status". This means the water right is subject to variations, alterations or changes as the water right is processed to completion into a water right certificate. For more information contact the Watermaster Office.
- It is critical that the person requesting the research carefully check any research conducted by staff from this office to be sure that the water right is appurtenant to the property they are interested in. Any listings as a result of a manual search of the Watermaster's records are not based on the official water right of record. The official water right records are kept in the Salem office.



Oregon  
Tina Kotek, Governor

Oregon Water Resources Department  
Field Services Division  
725 Summer St NE Ste A  
Salem, Oregon 97301  
(503) 986-0900  
[www.Oregon.gov/owrd](http://www.Oregon.gov/owrd)

# MEMO

Monday, August 14, 2023

Subject: Irrigation season for water rights in the John Day Basin

***“The Irrigation season of the John Day River and its tributaries is hereby fixed as the period from April 1st to September 30th of each year.”***

*John Day Basin Decree, Paragraph 106, Page 80*

Irrigation that is authorized outside of the dates of April 1st through September 30th of each year is only allowed if the individual water right specifies a different period of time. If the certificate of water right in question does not list a time frame for an authorized irrigation season the default season is set by the John Day Basin Decree as April 1st through September 30th of each year. Please read your certificate of water right for clarification of your allowed irrigation season.

Violation of Oregon Water Law or Oregon Water Resources Department Administrative Rules may be subject to enforcement action and may include fines and or civil penalties as allowed under law.

If you have any questions concerning your water rights please do not hesitate to contact the local Watermaster Office for assistance.

Thank You

Eric W. Julsrud

Watermaster District 4

Oregon Water Resources Dept.



# Oregon

Tina Kotek, Governor

Oregon Water Resources Department  
Watermaster District 4  
201 South Humbolt St., Ste 180  
Canyon City, OR 97820  
(541) 575-0119  
[www.Oregon.gov/owrd](http://www.Oregon.gov/owrd)

Tuesday, September 26, 2023

## Irrigation Season

The irrigation season of the John Day River and its tributaries is hereby fixed as the period from April 1<sup>st</sup> to September 30<sup>th</sup> of each year.

## Rate and Duty

### 1. Main John Day River above Picture Gorge:

A rate of flow limited to one-fortieth of one cubic foot per second per acre during the irrigation season.

A quantity of water limited to one acre foot per acre during any calendar month prior to July 1<sup>st</sup>, and thereafter not to exceed three-fourths of one acre foot per acre, and a total limitation during the irrigation season not to exceed five acre feet per acre.

### 2. Main John Day River below Picture Gorge, and the North and Middle Forks of the John Day River:

A rate of flow limited to one-fortieth of one cubic foot per second per acre during the irrigation season.

A quantity of water not to exceed one acre foot per acre during and calendar month and a total quantity during the irrigation season not to exceed five acre feet per acre.

### 3. South Fork John Day River and tributaries, all tributaries of the Main John Day River, and of the North and Middle Forks of the John Day River.

A rate of flow limited to one-fortieth of one cubic foot per second per acre prior to June 1<sup>st</sup>, and thereafter not to exceed one-eightieth of one cubic foot per second per acre during the remainder of the irrigation season.

A quantity of water limited to one acre foot per acre during any calendar month prior to June 1<sup>st</sup>, and not to exceed, during the irrigation season, four acre feet per acre.

## FORFEITURE OF WATER RIGHTS

### **540.610 Use as measure of water right; presumption of forfeiture of right for nonuse; basis for rebutting presumption; confirmation of rights of municipalities.**

(1) Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state. Whenever the owner of a perfected and developed water right ceases or fails to use all or part of the water appropriated for a period of five successive years, the failure to use shall establish a rebuttable presumption of forfeiture of all or part of the water right.

(2) Upon a showing of failure to use beneficially for five successive years, the appropriator has the burden of rebutting the presumption of forfeiture by showing one or more of the following:

(a) The water right is for use of water, or rights of use, acquired by cities and towns in this state, by appropriation or by purchase, for all reasonable and usual municipal purposes.

(b) A finding of forfeiture would impair the rights of such cities and towns to the use of water, whether acquired by appropriation or purchase, or heretofore recognized by act of the legislature, or which may hereafter be acquired.

(c) The use of water, or rights of use, are appurtenant to property obtained by the Department of Veterans' Affairs under ORS 407.135 or 407.145 for three years after the expiration of redemptions as provided in ORS 18.568 to 18.598 while the land is held by the Director of Veterans' Affairs, even if during such time the water is not used for a period of more than five successive years.

(d) The use of water, or rights of use, under a water right, if the owner of the property to which the right is appurtenant is unable to use the water due to economic hardship as defined by rule by the Water Resources Commission.

(e) The period of nonuse occurred during a period of time within which land was withdrawn from use in accordance with the Act of Congress of May 28, 1956, chapter 327 (7 U.S.C. 1801-1814; 1821-1824; 1831-1837), or the Federal Conservation Reserve Program, Act of Congress of December 23, 1985, chapter 198 (16 U.S.C. 3831-3836, 3841-3845). If necessary, in a cancellation proceeding under this section, the water right holder rebutting the presumption under this paragraph shall provide documentation that the water right holder's land was withdrawn from use under a federal reserve program.

(f) The end of the alleged period of nonuse occurred more than 15 years before the date upon which evidence of nonuse was submitted to the commission or the commission initiated cancellation proceedings under ORS 540.631, whichever occurs first.

(g) The owner of the property to which the water right was appurtenant is unable to use the water because the use of water under the right is discontinued under an order of the commission under ORS 537.775.

(h) The nonuse occurred during a period of time within which the water right holder was using reclaimed water in lieu of using water under an existing water right.

(i) The nonuse occurred during a period of time within which the water right holder was reusing water through land application as authorized by ORS 537.141 (1)(i) or 537.545 (1)(g) in lieu of using water under an existing water right.

(j) The owner or occupant of the property to which the water right is appurtenant was unable to make full beneficial use of the water because water was not available. A water right holder rebutting the presumption under this paragraph shall provide evidence that the water right holder was ready, willing and able to use the water had it been available.

(k) The holder of a water right is prohibited by law from using the water. If the prohibition is subject to remedial action that would allow the use of the water, the water right holder shall provide evidence that the water right holder is conducting the remedial action with reasonable diligence.

(l) The nonuse occurred during a period of time within which the exercise of all or part of the water right was not necessary due to climatic conditions, so long as the water right holder had a facility capable of handling the full allowed rate and duty, and was otherwise ready, willing and able to use the entire amount of water allowed under the water right.

(m) The nonuse occurred during a period of time within which the water was included in a transfer application pending before the Water Resources Department.

(3) Notwithstanding subsection (1) of this section, if the owner of a perfected and developed water right uses less water to accomplish the beneficial use allowed by the right, the right is not subject to forfeiture so long as:

(a) The user has a facility capable of handling the entire rate and duty authorized under the right; and

(b) The user is otherwise ready, willing and able to make full use of the right.

(4) The right of all cities and towns in this state to acquire rights to the use of the water of natural streams and lakes, not otherwise appropriated, and subject to existing rights, for all reasonable and usual municipal purposes, and for such future reasonable and usual municipal purposes as may reasonably be anticipated by reason of growth of population, or to secure sufficient water supply in cases of emergency, is expressly confirmed.

(5) After a water right is forfeited under subsection (1) of this section, the water that was the subject of use shall revert to the public and become again the subject of appropriation in the manner provided by law, subject to existing priorities. [Amended by 1985 c.689 §5; 1987 c.339 §4; 1989 c.699 §1; 1989 c.833 §61a; 1991 c.370 §6; 1995 c.356 §2; 1995 c.366 §1; 1997 c.42 §5; 1997 c.244 §5; 1997 c.283 §1; 1999 c.335 §3; 1999 c.804 §§3,4]