

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF THE APPLICATION ) ORDER APPROVING  
OF ADVANCEMENT IRRIGATION DISTRICT ) TRANSFER 5459  
FOR APPROVAL OF A CHANGE IN PLACE )  
OF USE OF WATER )

On March 30, 1984, an application was filed in the office of the Water Resources Director by Advancement Irrigation District for approval of a change in place of use of water from Owyhee River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 24707, Volume 17, State Record of Water Right Certificates, in the name of United States of America, Bureau of Reclamation, describes a right which includes the use of not to exceed 1.21 cubic feet per second of water from Owyhee River, for irrigation of

0.955 acre NE 1/4 NE 1/4  
0.500 acre SW 1/4 NE 1/4  
0.413 acre SE 1/4 NE 1/4  
0.715 acre SE 1/4 NW 1/4  
7.894 acres NE 1/4 SE 1/4  
16.512 acres NW 1/4 SE 1/4  
1.813 acres SW 1/4 SE 1/4  
3.157 acres SE 1/4 SE 1/4  
Section 5

4.410 acres NE 1/4 NE 1/4  
14.606 acres NW 1/4 NE 1/4  
0.670 acre NE 1/4 SE 1/4  
Section 8

4.954 acres SW 1/4 NW 1/4  
0.929 acre NW 1/4 SW 1/4  
10.568 acres SW 1/4 SW 1/4  
Section 9

2.366 acres NW 1/4 NE 1/4  
2.538 acres SW 1/4 NE 1/4  
Section 17

Township 18 South, Range 47 East, WM,

with dates of priority of February 14, 1916 and August 19, 1924.

The applicant herein proposes to transfer the right therefrom to a certain

5.0 acres SE 1/4 NE 1/4  
Section 27  
5.0 acres NW 1/4 NE 1/4  
Section 28  
2.0 acres NW 1/4 NE 1/4  
2.0 acres SW 1/4 NE 1/4  
Section 35  
2.0 acres SW 1/4 SW 1/4  
3.0 acres SW 1/4 SE 1/4  
Section 36

Township 18 South, Range 46 East, WM,

5.0 acres NE 1/4 NW 1/4  
Section 12  
3.0 acres SE 1/4 SW 1/4  
Section 13  
5.0 acres NE 1/4 NW 1/4  
5.0 acres SE 1/4 SE 1/4  
Section 23  
3.0 acres NE 1/4 SW 1/4  
5.0 acres NW 1/4 SW 1/4  
Section 26  
Township 19 South, Range 46 East, WM,

3.0 acres SE 1/4 SE 1/4  
Section 2  
3.0 acres SE 1/4 NE 1/4  
4.0 acres SW 1/4 NE 1/4  
2.0 acres NE 1/4 SE 1/4  
Section 5  
1.0 acre SW 1/4 NE 1/4  
Section 27  
5.0 acres SE 1/4 SE 1/4  
Section 32  
Township 20 South, Range 46 East, WM,

5.0 acres SE 1/4 NW 1/4  
Section 19  
Township 21 South, Range 46 East, WM,

5.0 acres NW 1/4 SW 1/4  
Section 31  
Township 17 South, Range 47 East, WM,

being within Owyhee Irrigation District. The applicant further proposes to cancel supplemental irrigation rights from Snake River under Certificates 3297, 24704 and 51346 for said lands in Section 5, 8, 9 and 17 as noted above. The change in place of use is reported to be completed.

Supplemental irrigation rights as described by Certificate 44030 from Owyhee Reservoir will be transferred with said primary rights.

Frank W. Elfering, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

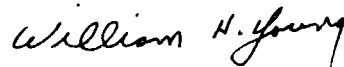
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use is approved, without loss of priority.

It is FURTHER ORDERED that aforesaid portions of Certificates 3297, 24704 and 51346, for supplemental irrigation of said lands in Section 5, 8, 9 and 17 are canceled.

It is FURTHER ORDERED the upon proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which the water is transferred hereby, the change of water right shall be considered perfected, and at a later date a certificate of water right shall be issued to United States of America, Bureau of Reclamation confirming this and other changes within the District, and superseding Certificate 24707.

Dated at Salem, Oregon this 19th day of March, 1987.

  
WILLIAM H. YOUNG,  
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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