

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

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

ORDER APPROVING
TRANSFER 5425

On December 16, 1983, 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 0.33 cubic foot per second from Owyhee River, for irrigation of:

- | | |
|------------------------------|--------------------------------------|
| 0.537 acre in NE 1/4 NE 1/4 | 0.280 acre in NW 1/4 NW 1/4 |
| 4.910 acres in SW 1/4 NE 1/4 | 4.379 acres in SW 1/4 NW 1/4 |
| 0.480 acre in SE 1/4 NE 1/4 | Section 9 |
| 1.721 acres in NE 1/4 SE 1/4 | |
| 3.643 acres in SE 1/4 SE 1/4 | 0.640 acre in NW 1/4 NE 1/4 |
| Section 5 | 2.312 acres in SW 1/4 NE 1/4 |
| | Section 17 |
| 0.850 acre in NE 1/4 NE 1/4 | Township 18 South, Range 47 East, WM |
| Section 8 | |

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

The applicant herein proposes to transfer the right therefrom to a certain 10.0 acres in NW 1/4 NE 1/4, Section 3, Township 17 South, Range 47 East, WM and 9.752 acres in SW 1/4 SE 1/4, Section 15, Township 20 South, Range 46 East, WM, being within Owyhee Irrigation District. The applicant further proposes to cancel supplemental irrigation rights from Snake River under Certificates 3297, 51346 and 24704 for said lands in Sections 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.

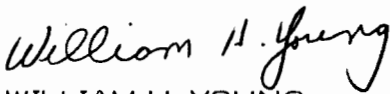
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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, 51346 and 24704, for supplemental irrigation of said lands in Sections 5, 8, 9 and 17 are canceled.

It is FURTHER ORDERED that 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 2nd day of March, 1984.


WILLIAM H. YOUNG, III
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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