

BEFORE THE STATE ENGINEER OF OREGON

Malheur County

IN THE MATTER OF THE APPLICATION )  
OF SCHOOL DISTRICT NO. 8-C FOR )  
THE APPROVAL OF A CHANGE IN PLACE )  
OF USE OF WATER FROM OUYHEE RIVER )  
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ORDER APPROVING  
TRANSFER NO. F-61

On May 11, 1966, School District No. 8-C filed an application in the office of the State Engineer for the approval of a change in place of use of water from Owyhee River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Malheur County, Oregon, entered July 7, 1926, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Owyhee River and its Tributaries, a water right was established in the name of Owyhee Ditch Company for the irrigation of, among other lands, 5.0 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 20.0 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 10.0 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 4, and 10.0 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 19, Township 18 South, Range 47 East, W.M., with a date of priority of October 30, 1888.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom without loss of priority to 26.0 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 18.0 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , and 1.0 acre in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 33, Township 20 South, Range 46 East, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water only.

The Owyhee Ditch Company has submitted written approval to the change in place of use of water.

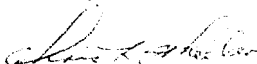
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 5.0 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 20.0 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 10.0 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 4, and 10.0 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 19, Township 18 South, Range 47 East, W.M., with a date of priority of October 30, 1888, be severed therefrom and simultaneously and without loss of priority transferred to 26.0 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 18.0 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , and 1.0 acre in the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 33, Township 20 South, Range 46 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1968.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use on the lands to which the water is transferred hereby, certificate of water right shall be issued to Owyhee Ditch Company at the time certificate is issued to the Company confirming other transfers within the Company.

Dated at Salem, Oregon, this 1st day of August, 1967.

  
CHRIS L. WHEELER  
State Engineer