

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

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

ORDER APPROVING
TRANSFER 5798

On May 14, 1986, an application was filed in the office of the Water Resources Director by Owyhee 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 0.23 cubic foot per second from the Owyhee River, for irrigation of 6.89 acres in NW 1/4 NW 1/4, and 4.8 acres in SW 1/4 NW 1/4, Section 9, Township 18 South, Range 47 East, WM; and 2.0 acres in NW 1/4 SE 1/4, Section 21, Township 18 South, Range 46 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 in SE 1/4 NE 1/4, Section 13, Township 17 South, Range 46 East, WM (Hall); 2.0 acres in SW 1/4 SE 1/4, Section 21, Township 18 South, Range 46 East, WM (Lee); and 3.79 acres in NW 1/4 NW 1/4 and 2.9 acres in SW 1/4 NW 1/4, Section 14, Township 21 South, Range 46 East, WM (Eicher). The applicant further proposes to cancel supplemental irrigation rights from Snake River under Certificates 3297, 24704, and 51346 for said lands.

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 the lands in aforesaid Sections 9 and 21 are canceled.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1987.

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 7th day of July, 1986.


WILLIAM H. YOUNG¹⁹⁸⁶
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.

A party may file objections and exceptions to the Proposed Order with the Water Resources Commission. Such objections and exceptions must be filed within 45 days from the date of service (date of mailing) of the Proposed Order on the party. The Commission will provide opportunity for oral argument in support of written objections and exceptions. If no objections and exceptions are filed within the time allowed, the Proposed Order will automatically become the Final Order of the Commission.

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