

5. The portion of the first right to be transferred is as follows:

Certificate: 76204 in the name of VALE OREGON IRRIGATION DISTRICT (confirmed by decree of the Circuit Court of the State of Oregon for Malheur County)

Use: IRRIGATION of 24.8 ACRES

Priority Date: April 1885

Limits/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of 1.5 ACRE FEET per acre in any 30 day period prior to June 1st of each year, a diversion of 1.0 acre-foot per acre in any 30 day period after June 1st of each year, or a total diversion of 3.0 ACRE FEET for each acre irrigated during the irrigation season of each year at a rate not to exceed ONE-TWENTIETH of one cubic foot per second, or its equivalent for each acre irrigated during the irrigation season of each year.

Source: The NORTH FORK OF THE MALHEUR RIVER, tributary to the MALHEUR RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
20 S	41 E	WM	31	NW SE	VALE MAIN CANAL: 1200 FEET NORTH AND 300 FEET EAST FROM THE 3/4 CORNER OF SECTION 31

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
20 S	41 E	WM	12	SW SW	9.1	1000	ALLAIRE, BRYANT
20 S	41 E	WM	12	SE SW	6.7	1000	ALLAIRE, BRYANT
20 S	41 E	WM	12	NW SE	1.8	1100	ALLAIRE, R. T., JR
20 S	41 E	WM	12	SW SE	7.2	1000	ALLAIRE, BRYANT
Total					24.8		

6. Transfer Application T-13816 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
20 S	41 E	WM	12	NE SW	14.5	2400	ALLAIRE, ELIZABETH
20 S	41 E	WM	12	SW SW	0.7	2300	ALLAIRE, BRYANT
20 S	41 E	WM	12	SE SW	1.0	2300	ALLAIRE, BRYANT
20 S	41 E	WM	12	NW SE	8.3	2300	ALLAIRE, R. T., JR
20 S	41 E	WM	12	SW SE	0.3	2300	ALLAIRE, BRYANT
Total					24.8		

7. The portion of the second right to be transferred is as follows:

Certificate: 74080 in the name of U.S. BUREAU OF RECLAMATION and VALE OREGON IRRIGATION DISTRICT (perfected under Permit S-7867)

Use: PRIMARY IRRIGATION of 2.0 ACRES and SUPPLEMENTAL IRRIGATION of 24.8 ACRES

Priority Dates: MAY 10, 1926 & JANUARY 11, 1927

Limits/Duty: One half of the stored water available each year from Warmsprings Reservoir (Permit No. R-457), which is to be released into the Malheur River and re-diverted therefrom through Vale Oregon Project main canal at a maximum rate of 600 CUBIC FEET PER SECOND.

All of the drainage water, seepage water, return flow, and waste water from the Vale Oregon Project, estimated to be 200 CUBIC FEET PER SECOND to be used in Warmsprings Irrigation District under contract between that District and the United States under which the Warmsprings District is to accept such return flow from the Vale Oregon Project and allow the United States, in return, an equivalent amount of stored water and natural flow from the Malheur River.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of shall be limited to a diversion of not to exceed 4.5 ACRE-FEET per acre for each acre irrigated during the irrigation season of each year.

Source: The MALHEUR RIVER, tributary to the SNAKE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
20 S	41 E	WM	31	NW SE	VALE PROJECT MAIN CANAL: 1200 FEET NORTH AND 300 FEET EAST FROM THE S¼ CORNER OF SECTION 31
23 S	37 E	W.M	8	SW SW	WARMSPRINGS DAM *should be NW SE

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
18 S	44 E	WM	23	SW NE	2.0	300	HIATT

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
20 S	41 E	WM	12	SW SW	9.1	1000	ALLAIRE, BRYANT
20 S	41 E	WM	12	SE SW	6.7	1000	ALLAIRE, BRYANT
20 S	41 E	WM	12	NW SE	1.8	1100	ALLAIRE, R. T., JR
20 S	41 E	WM	12	SW SE	7.2	1000	ALLAIRE, BRYANT
Total					24.8		

8. Transfer Application T-13816 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
18 S	44 E	WM	23	NE NE	0.9	100	HIATT
18 S	44 E	WM	23	NW NE	1.1	300	HAITT
Total:					2.0		

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
20 S	41 E	WM	12	NE SW	14.5	2400	ALLAIRE, ELIZABETH
20 S	41 E	WM	12	SW SW	0.7	2300	ALLAIRE, BRYANT
20 S	41 E	WM	12	SE SW	1.0	2300	ALLAIRE, BRYANT
20 S	41 E	WM	12	NW SE	8.3	2300	ALLAIRE, R. T., JR
20 S	41 E	WM	12	SW SE	0.3	2300	ALLAIRE, BRYANT
Total					24.8		

9. The portion of the third right to be transferred is as follows:

Certificate: 74081 in the name of U.S. BUREAU OF RECLAMATION and VALE OREGON IRRIGATION DISTRICT (perfected under Permit S-16707)

Use: SUPPLEMENTAL IRRIGATION of 26.8 acres

Priority Dates: DECEMBER 16, 1931 (stored water)
NOVEMBER 29, 1945 (direct flow)

Limits/Duty: The amount of water used for supplemental irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or the equivalent for each acre irrigated during the irrigation season of each year.

Source: NORTH FORK MALHEUR RIVER, tributary to the MALHEUR RIVER, and BELUAH RESERVOIR (A.K.A AGENCY VALLEY RESERVOIR, Permit R-671)

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
19 S	37 E	WM	15	SW SE	AGENCY VALLEY DAM
20 S	41 E	WM	31	NW SE	VALE PROJECT MAIN CANAL: 1200 FEET NORTH AND 300 FEET EAST FROM THE S¼ CORNER OF SECTION 31

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
18 S	44 E	WM	23	SW NE	2.0	300	HIATT
20 S	41 E	WM	12	SW SW	9.1	1000	ALLAIRE, BRYANT
20 S	41 E	WM	12	SE SW	6.7	1000	ALLAIRE, BRYANT
20 S	41 E	WM	12	NW SE	1.8	1100	ALLAIRE, R.T., JR
20 S	41 E	WM	12	SW SE	7.2	1000	ALLAIRE, BRYANT
Total					26.8		

10. Transfer Application T-13816 proposes to change the place of use to:

Proposed Place of Use:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
18 S	44 E	WM	23	NE NE	0.9	100	HIATT
18 S	44 E	WM	23	NW NE	1.1	300	HAITT
20 S	41 E	WM	12	NE SW	14.5	2400	ALLAIRE, ELIZABETH
20 S	41 E	WM	12	SW SW	0.7	2300	ALLAIRE, BRYANT
20 S	41 E	WM	12	SE SW	1.0	2300	ALLAIRE, BRYANT

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
20 S	41 E	WM	12	NW SE	8.3	2300	ALLAIRE, R. T., JR
20 S	41 E	WM	12	SW SE	0.3	2300	ALLAIRE, BRYANT
Total					26.8		

11. The Department finds that the district permanent transfer application was submitted according to ORS 540.580 and OAR 690-385-4000, contains the information required under OARs 690-385-4200 and 690-385-2000, and includes maps meeting the requirements of OARs 690-385-4300 and 690-385-2200.
12. The Department finds that the proposed district permanent transfer meets all the criteria set forth in ORS 540.580 and OAR 690-385-4000.
13. The water right is subject to transfer as defined in OAR 690-385-0100(17).
14. The proposed change in places of use will not result in enlargement of the right as defined in OAR 690-385-0100(4).
15. The proposed change in place of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).
16. Any other applicable requirements for district permanent water right transfers are met as required in OAR 690-385-4500.

Conclusions of Law

The proposed changes in place of use as proposed in Transfer Application T-13816 comply with and satisfy the requirements of ORS 540.580 and OAR 690-385-4500.

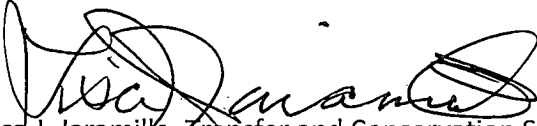
Now, therefore, it is ORDERED:

1. The proposed changes in place of use to the water rights evidenced by Certificates 76204, 74080 and 74081 are approved.
2. The places of use from which the water rights are transferred off by Transfer T-13816 shall no longer be irrigated, and are cancelled from Certificates 76204, 74080 and 74081.
3. The right to the use of the water at the places of use NOT modified by this order is restricted to beneficial and is subject to all other conditions and limitations contained in Certificates 76204, 74080 and 74081.
4. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
5. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2023**. A Claim of Beneficial Use shall be submitted by VOID to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

6. Water right Certificates 76204, 74080 and 74081 are modified. After satisfactory proof of completion has been determined by the Department, superseding water right certificates will be issued when the Department determines it is necessary for record keeping.

DEC 27 2021

Dated in Salem, Oregon on _____



Lisa J. Jaramillo, Transfer and Conservation Section Manager for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources Department

DEC 28 2021

Mailing Date: _____