

BEFORE THE STATE ENGINEER OF OREGON

Malheur County

IN THE MATTER OF THE APPLICATION OF)
ROBERT B. COPELAND AND MARY COPELAND)
FOR APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM MALHEUR RIVER.)

O R D E R
APPROVING APPLICATION

On May 24, 1938, Robert B. Copeland and Mary Copeland of Harper, Oregon, filed an application for the approval of a change in place of use of water from Malheur River.

Certificate of Water Right recorded at Page 6989, Volume 7, State Record of Water Right Certificates, confirmed the right of the Pacific Livestock Company to the use of water from Malheur River for the irrigation of 5.5 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 19 South, Range 42 East, W. M., with a date of priority of 1884, and 20.0 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, 30.0 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 15.7 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 11.0 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 19 South, Range 42 E., W. M., with a date of priority of 1889.

The applicants herein propose to transfer 7.5 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, 15.3 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 15.7 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 11.0 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 5.5 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 19 South, Range 42 East, W. M., to 1.6 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 22.6 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13; 2.6 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14; 22.9 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, and 5.3 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 20 South, Range 41 East, W. M.

The Harper District Improvement Company having submitted its approval of the proposed transfer by resolution adopted April 30, 1938, it appears that such change in place of use of water can be made without injury to existing rights.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water be and the same hereby is approved and the water right described hereinbefore as appurtenant to 5.5 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 19 South, Range 42 East, W. M., with a priority of 1884, and 7.5 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, 15.3 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 15.7 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 11.0 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, same township and range, with a priority of 1889, be severed therefrom and simultaneously and without loss of priority transferred to 1.6 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 22.6 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13; 2.6 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14; 22.9 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, and 5.3 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 20 South, Range 41 East, W. M.

It is FURTHER ORDERED that complete application of water to beneficial use upon said lands shall be made on or before October 1, 1939, or such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of the complete application of water to beneficial use upon the lands to which the water right is transferred hereby a certificate of water right shall be issued to the Pacific Livestock Company and that the certificate of water right issued heretofore to said Pacific Livestock Company and recorded in State Record of Water Right Certificates, Volume 7, Page 6989, shall be cancelled.

Dated at Salem, Oregon, this 18th day of August, 1938.


CHAS. E. STRICKLIN

State Engineer

Notations made on

Cert. 6989

& Decree Vol. 8 p 299, 303, 304