

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

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

ORDER APPROVING
TRANSFER 5401

On October 14, 1983, an application was filed in the office of the Water Resources Director by Warm Springs Irrigation District for approval of a change in place of use of water from Malheur River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 48051, Volume 41, State Record of Water Right Certificates, in the name of Warm Springs Irrigation District, describes a right which includes the use of water from Malheur River, for irrigation of a certain 4.5 acres in W 1/2 SW 1/4 SE 1/4 NE 1/4, Section 30, Township 18 South, Range 45 East, WM, with a date of priority of 1916.

Water for the said right is diverted, through the Gellerman-Froman Ditch, from a point located 390 feet South and 230 feet East from the Center of Section 8, being within the NW 1/4 SE 1/4 of Section 8, Township 19 South, Range 44 East, WM.

The applicant herein proposes to transfer the right therefrom to a certain 0.5 acre in NE 1/4 SW 1/4 and 4.0 acres in SW 1/4 SE 1/4, Section 8, Township 18 South, Range 46 East, WM.

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.

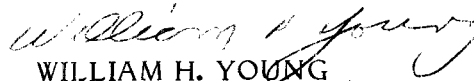
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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 said water so transferred shall be applied to beneficial use on or before October 1, 1985.

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 Warm Springs Irrigation District confirming this and other changes within the District and superseding Certificate 48051.

Dated at Salem, Oregon this 6th day of December, 1983.


WILLIAM H. YOUNG
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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