

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF THE APPLICATION)
OF EAGLE-PILCHER INDUSTRIES, INC.) ORDER APPROVING
(WARMSPRINGS IRRIGATION DISTRICT)) TRANSFER 5594
FOR APPROVAL OF A CHANGE IN)
PLACE OF USE OF WATER)

On February 25, 1985, an application was filed in the office of the Water Resources Director by Eagle-Pilcher Industries, Inc. for approval of a change in place of use of water from Malheur River and Warm Springs Reservoir, 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 not to exceed 1.33 cubic feet per second from Malheur River and Warm Springs Reservoir, for irrigation of a certain:

2.0 acres NE 1/4 NE 1/4
33.8 acres SW 1/4 NE 1/4
26.2 acres SE 1/4 NE 1/4
29.2 acres NW 1/4 NW 1/4
9.6 acres SW 1/4 NW 1/4
5.4 acres NE 1/4 SE 1/4
0.3 acre NW 1/4 SE 1/4

Section 6

Township 19 South, Range 44 East, WM

with a date of priority of February 14, 1916.

Water for the said right is diverted, through the Farmer's Ditch, from a point located 1690 feet North and 650 feet East from the Southwest Corner of Section 33, being within the NW 1/4 SW 1/4 of Section 33, Township 18 South, Range 43 East, WM.

The applicant herein, owner of the lands above described, proposes to transfer the right therefrom to a certain:

0.5 acre NE 1/4 NE 1/4
14.9 acres SW 1/4 NE 1/4
23.2 acres SE 1/4 NE 1/4
34.4 acres NW 1/4 NW 1/4
13.4 acres SW 1/4 NW 1/4
15.3 acres SE 1/4 NW 1/4
4.8 acres NE 1/4 SE 1/4

Section 6

Township 19 South, Range 44 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.

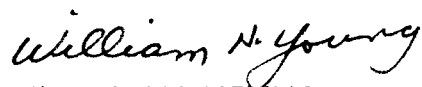
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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

Dated at Salem, Oregon, this 13th day of August, 1985.


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 provision of ORS 540.610 pertaining to forfeiture or abandonment.

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