

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Malheur County

IN THE MATTER OF THE APPLICATION
OF GIRO UMEMOTO FOR THE APPROVAL
OF A CHANGE IN PLACE OF USE OF WATER
FROM MALHEUR RIVER AND WARMSPRINGS
RESERVOIR

ORDER APPROVING
TRANSFER NO. 2824

On May 29, 1973, Giro Umemoto filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from Malheur River and Warmsprings Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

Permit number 4303 issued to Warmsprings Irrigation District describes the appropriation of waters of Malheur River and Warmsprings Reservoir for the irrigation of, among other lands, 15.5 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 18 South, Range 47 East, W.M., with a date of priority of February 14, 1916. These lands are also included in permit number 18547 for supplemental irrigation from waste water with a date of priority of October 16, 1939. Proof to the satisfaction of the Water Resources Director of beneficial use of water for irrigation of the above described tract has been submitted.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 5.1 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11, 5.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, and 5.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, Township 18 South, Range 46 East, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

William E. Blackaby, contract seller of the lands herein described, and the County Supervisor of the Farmers Home Administration, mortgagee of the lands herein described, have submitted statements that they have no objections to the proposed change.

The lands involved are within the boundaries of the Warm Springs Irrigation District and the Board of Directors approved the proposed change in place of use at a meeting held March 5, 1973.

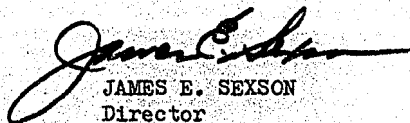
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 15.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 18 South, Range 47 East, W.M., with a date of priority of February 14, 1916, be severed therefrom and simultaneously and without loss of priority transferred to 5.1 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11, 5.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, and 5.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, Township 18 South, Range 46 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1976.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director of application of water to beneficial use, the lands shall be included in the certificates to be issued to the Warm Springs Irrigation District confirming rights under permits numbered 4303 and 18547.

Dated at Salem, Oregon, this 20th day of February, 1976.


JAMES E. SEXSON
Director