

**BEFORE THE STATE ENGINEER OF OREGON  
UMATILLA COUNTY**

**IN THE MATTER OF THE APPLICATION OF )  
C. B. HARRIS, MARIE F. HARRIS AND )  
BURTON HARRIS FOR THE APPROVAL OF A )  
CHANGE IN CHARACTER OF USE AND POINT )  
OF DIVERSION OF WATER PURSUANT TO )  
THE PROVISIONS OF SECTION 116-606, )  
O. C. L. A. )**

**ORDER  
APPROVING APPLICATION**

On May 10, 1943, C. B. Harris, Marie F. Harris and Burton Harris of Milton, Oregon, filed an application for the approval of a change in character of use and point of diversion of water from Little Walla Walla River.

Certificate of water right recorded at page 12,613, Vol. 11, State Record of Water Right Certificates, was issued to Milton Box Company for the use of 4.5 miner's inches with a date of priority of 1900, 1.05 miner's inches with a date of priority of 1893, and 3.87 miner's inches with a date of priority of 1895, of the waters of Little Walla Walla River for a water supply for mill pond within NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 1, T. 5 N., R. 35 E. W. M., which certificate was issued to confirm a change in character of use and place of use of water approved by an order of the State Engineer dated September 21, 1932. The water is conveyed to the mill pond by means of a ditch, the point of diversion of such ditch being located 1900 feet north and 625 feet east from the southwest corner Section 1, Township 5 North, Range 35 East, W. M.

The applicants herein, successors to the Milton Box Company and owners of the above described water right, propose to change the use of the water from a supply for mill pond in NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 1, Township 5 North, Range 35 East, W. M., to that of irrigation of 6.28 acres in E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$  said Section 1, and to change the point of diversion to a new point to be located 730 feet north and 1280 feet east from the southwest corner of Section 1, Township 5 North, Range 35 East, W. M. as shown in attached map.

Witness my hand and seal at Salem, Oregon, this 21st day of September, 1943.

State Engineer of Oregon

Notice by publication as provided by Section 116-606, O. C. L. A.,

was given in the Milton Eagle, a newspaper printed and having general circulation in Umatilla County, for a period of at least three weeks and not less than one publication each week, namely, the issues of July 29, August 5 and 12, 1943.

No objections having been filed and it appearing that the proposed change in character of use and point of diversion 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 character of use and point of diversion of water be and the same hereby is approved and that the right to the use of 4.5 miner's inches of the waters of Little Walla Walla River with date of priority of 1900, 1.05 miner's inches with date of priority of 1893, and 3.87 miner's inches with date of priority of 1895, for a water supply for mill pond within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 1, Township 5 North, Range 35 East, W. M., be severed therefrom and simultaneously and without loss of priority transferred to 6.28 acres in the E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 1, Township 5 North, Range 35 East, W. M., for irrigation purposes through a private ditch, the point of diversion of such ditch to be located approximately 730 feet north and 1280 feet east from the southwest corner Section 1, Township 5 North, Range 35 East, W. M.

And it is FURTHER ORDERED that the water so transferred shall be applied to beneficial use upon the lands to which the water hereby is transferred on or before October 1, 1944, or such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that certificate of water right heretofore issued to Milton Box Company and recorded at page 12,613, Volume 11, State Record of Water Right Certificates, be and the same hereby is cancelled, and upon receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use upon the lands to which the water hereby is transferred a new certificate shall be issued to C. B. Harris, Marie F. Harris and Burton Harris or their successors in interest.

Dated at Salem, Oregon, this 21st day of September, 1943.

*Chas E Stricklin*  
CHAS. E. STRICKLIN  
State Engineer

*certification made on Sept 22 1943*