

BEFORE THE STATE ENGINEER OF OREGON

Walla Walla County

IN THE MATTER OF THE APPLICATION )  
OF ROBERT A. DIXSON AND ETHEL I. )  
WYNANS FOR THE APPROVAL OF A )  
CHANGE IN PLACE OF USE OF WATER )  
FROM THE TUMALUM (LITTLE WALLA )  
WALLA) RIVER )  
----- )

ORDER APPROVING  
TRANSFER NO. D-115

On July 19, 1965, Robert A. Dixon and Ethel I. Wynans filed an application in the office of the State Engineer for the approval of a change in place of use of water from Tumalum (Little Walla Walla) River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Umatilla County, Oregon, entered May 16, 1932, In the Matter of the Determination of the Relative Rights to the use of the Waters of Walla Walla River, a water right was established in the name of Hudson Bay District Improvement Co. for the use of the waters of Tumalum (Little Walla Walla) River for their irrigation of, among other lands, 30.0 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 30.0 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 25.0 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  and 30.0 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 18, Township 6 North, Range 35 East, W.M. with a date of priority of February 16, 1903. These lands are irrigated from a point of diversion located in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 1, Township 5 North, Range 35 East, W.M. This right was confirmed by certificate of water right recorded at page 13083, Volume 11, State Record of Water Right Certificates.

The applicants herein, owners of the lands above described, propose to transfer the water right therefrom without loss of priority to 20.0 acres in the N $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 2, Township 5 North, Range 35 East, W.M., 10.0 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 30, Township 6 North, Range 35 East, W.M., 16.0 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , and 30.0 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 19, Township 6 North, Range 35 East, W.M., 5.0 acres in the N $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 25,

Township 6 North, Range 34 East, W.M., 14.0 acres in the SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Section 24, Township 6 North, Range 34 East, W.M., and 20.0 acres in the SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Section 4, Township 5 North, Range 35 East, W.M.

Notice by publication as provided by OWS 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 only.

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.

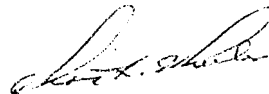
NOW, THEREFORE, it hereby is ORDERED that the change in place of use of water is approved and the water right hereinbefore described as appurtenant to 30.0 acres in the NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, 30.0 acres in the NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, 25.0 acres in the NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> and 30.0 acres in the NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Section 18, Township 6 North, Range 35 East, W.M. with a date of priority of February 16, 1903, be severed therefrom and simultaneously and without loss of priority transferred to 20.0 acres in the NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Section 2, and 20.0 acres in the SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Section 4, Township 5 North, Range 35 East, W.M.; 10.0 acres in the SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Section 30, 16.0 acres in the SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Section 19, and 30.0 acres in the NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Section 19, Township 6 North, Range 35 East, W.M.; 14.0 acres in the SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Section 24, and 5.0 acres in the NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Section 25, Township 6 North, Range 34 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1967.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of the completion of the authorized change in place of use of water, certificate of water right be issued to Hudson Bay District Improvement Co. confirming the change in place of use and also covering the right not involved in this proceeding, and certificate issued to Hudson Bay District

Improvement Co. and recorded at page 13083, Volume 11, State Record of  
Water Right Certificates, shall be canceled.

Dated at Salem, Oregon, this 7th day of March 1966.



CHRIS L. WHEELER  
State Engineer