

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF THE APPLICATION)
 OF WARM SPRINGS IRRIGATION DISTRICT)
 FOR APPROVAL OF CHANGES IN PLACE)
 OF USE OF WATER FROM MALHEUR RIVER)
 - - - - -

ORDER APPROVING
 TRANSFER NO. W-118

On April 27, 1965 an application was filed in the office of the Water Resources Director by Warm Springs Irrigation District for approval of changes in place of use of water from Malheur River, pursuant to the provisions of ORS 540.510 to 540.530.

The water rights for which the changes are requested are tabulated as follows and are evidenced by the certificates of water right recorded at the page numbers in the State Record of Water Right Certificates listed in the tabulation with dates of priority as listed:

acreage	location	priority	certificate
0.5	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 14 T 18 S, R 45 E	1907	6978
40.0	NE $\frac{1}{4}$ SW $\frac{1}{4}$	1904	6905
40.0	SE $\frac{1}{4}$ SW $\frac{1}{4}$		
	Sec 14		
40.0	NE $\frac{1}{4}$ NE $\frac{1}{4}$		
20.0	SE $\frac{1}{4}$ NE $\frac{1}{4}$		
	Sec 20		
	T 18 S, R 45 E		
21.5	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1905	7015
7.0	SE $\frac{1}{4}$ SE $\frac{1}{4}$		
	Sec 14		
	T 18 S, R 45 E		
5.5	NE $\frac{1}{4}$ SW $\frac{1}{4}$	1904	6923
30.0	NW $\frac{1}{4}$ SW $\frac{1}{4}$		
28.0	SW $\frac{1}{4}$ SW $\frac{1}{4}$		
19.5	SE $\frac{1}{4}$ SW $\frac{1}{4}$		
	Sec 15		
	T 18 S, R 45 E		

acreage	location	priority	certificate
6.0	NE $\frac{1}{4}$ SE $\frac{1}{4}$	1908	6926
8.0	NW $\frac{1}{4}$ SE $\frac{1}{4}$		
26.0	SW $\frac{1}{4}$ SE $\frac{1}{4}$		
27.5	SE $\frac{1}{4}$ SE $\frac{1}{4}$		
	Sec 16		
	T 18 S, R 45 E		
40.0	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1908	6899
25.0	NW $\frac{1}{4}$ NW $\frac{1}{4}$		
8.6	SW $\frac{1}{4}$ NW $\frac{1}{4}$		
10.0	SE $\frac{1}{4}$ NW $\frac{1}{4}$		
	Sec 16		
	T 18 S, R 46 E		
1.3	NW $\frac{1}{4}$ NW $\frac{1}{4}$	Apr. 1884	6914
	Sec 2		
10.0	NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$		
	Sec 10		
31.3	SW $\frac{1}{4}$ NW $\frac{1}{4}$		
33.9	SE $\frac{1}{4}$ NW $\frac{1}{4}$		
	Sec 11		
40.0	NW $\frac{1}{4}$ NW $\frac{1}{4}$		
25.0	NE $\frac{1}{4}$ NW $\frac{1}{4}$		
	Sec 12		
25.0	NW $\frac{1}{4}$ NW $\frac{1}{4}$		
	Sec 14		
12.0	NW $\frac{1}{4}$ NE $\frac{1}{4}$		
	Sec 16		
	T 19 S, R 44 E		
1.0	SW $\frac{1}{4}$ NE $\frac{1}{4}$	1900	6984
24.5	SE $\frac{1}{4}$ NE $\frac{1}{4}$		
	Sec 10		
5.0	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1907	
40.0	NW $\frac{1}{4}$ NW $\frac{1}{4}$		
10.0	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1881	
40.0	SW $\frac{1}{4}$ SW $\frac{1}{4}$	1894	
5.2	SE $\frac{1}{4}$ SW $\frac{1}{4}$		
	Sec 12		
22.6	NW $\frac{1}{4}$ NE $\frac{1}{4}$	1881	
10.0	NW $\frac{1}{4}$ NE $\frac{1}{4}$	1894	
32.5	SW $\frac{1}{4}$ NE $\frac{1}{4}$		
20.0	E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	1881	
	Sec 14		
10.0	NE $\frac{1}{4}$ SW $\frac{1}{4}$	1914	
17.7	SE $\frac{1}{4}$ SW $\frac{1}{4}$		
	Sec 15		
20.0	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1907	
20.0	SE $\frac{1}{4}$ SE $\frac{1}{4}$		
	Sec 17		

acreage	location	priority	certificate
15.0	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1881	
29.0	NW $\frac{1}{4}$ NE $\frac{1}{4}$		
27.8	NE $\frac{1}{4}$ NW $\frac{1}{4}$		
37.0	NW $\frac{1}{4}$ NW $\frac{1}{4}$		
	Sec 20		
	T 18 S, R 46 E		
28.0	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1885	6963
12.0	SW $\frac{1}{4}$ NW $\frac{1}{4}$		
0.1	NE $\frac{1}{4}$ SW $\frac{1}{4}$		
21.35	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1909	
16.8	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1885	
37.5	SE $\frac{1}{4}$ SE $\frac{1}{4}$		
	Sec 6		
21.2	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1909	
10.0	NW $\frac{1}{4}$ NE $\frac{1}{4}$		
21.2	SE $\frac{1}{4}$ NE $\frac{1}{4}$		
37.0	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1885	
35.0	SW $\frac{1}{4}$ SE $\frac{1}{4}$		
	Sec 8		
28.9	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1897	
8.0	NW $\frac{1}{4}$ NW $\frac{1}{4}$		
40.0	SW $\frac{1}{4}$ NW $\frac{1}{4}$		
40.0	SE $\frac{1}{4}$ NW $\frac{1}{4}$		
	Sec 9		
34.0	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1885	
21.9	NW $\frac{1}{4}$ NE $\frac{1}{4}$	1909	
10.5	SE $\frac{1}{4}$ NE $\frac{1}{4}$		
36.2	NE $\frac{1}{4}$ SW $\frac{1}{4}$		
38.0	SE $\frac{1}{4}$ SW $\frac{1}{4}$		
10.0	NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$		
	Sec 10		
	T 19 S, R 44 E		
17.8	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1881	6970
21.0	SW $\frac{1}{4}$ SE $\frac{1}{4}$		
	Sec 6		
	T 19 S, R 44 E		
6.5	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1885	6952
16.0	NW $\frac{1}{4}$ NE $\frac{1}{4}$		
40.0	SW $\frac{1}{4}$ NE $\frac{1}{4}$		
40.0	SE $\frac{1}{4}$ NE $\frac{1}{4}$		
	Sec 7		
	T 19 S, R 44 E		
40.0	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Mar 1881	6969
40.0	SE $\frac{1}{4}$ SE $\frac{1}{4}$		
	Sec 7		
23.8	NW $\frac{1}{4}$ SW $\frac{1}{4}$		
36.0	SW $\frac{1}{4}$ SW $\frac{1}{4}$		
	Sec 8		
	T 19 S, R 44 E		

acreage	location	priority	certificate
25.5	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Apr 1886	7006
4.5	NW $\frac{1}{4}$ SW $\frac{1}{4}$		
29.5	SW $\frac{1}{4}$ SW $\frac{1}{4}$		
23.7	SE $\frac{1}{4}$ SW $\frac{1}{4}$		
	Sec 12		
10.0	NE $\frac{1}{4}$ NW $\frac{1}{4}$		
20.0	SW $\frac{1}{4}$ NW $\frac{1}{4}$		
0.3	SE $\frac{1}{4}$ NW $\frac{1}{4}$		
	Sec 14		
	T 19 S, R 44 E		
21.5	NE $\frac{1}{4}$ NE $\frac{1}{4}$		
14.8	NW $\frac{1}{4}$ NE $\frac{1}{4}$		
1.2	SW $\frac{1}{4}$ NE $\frac{1}{4}$		
2.0	SE $\frac{1}{4}$ NE $\frac{1}{4}$		
5.6	NE $\frac{1}{4}$ NW $\frac{1}{4}$		
35.2	NE $\frac{1}{4}$ SW $\frac{1}{4}$		
40.0	SE $\frac{1}{4}$ SW $\frac{1}{4}$		
	Sec 6		
	T 19 S, R 45 E		
17.5	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1898	7000
40.0	NW $\frac{1}{4}$ NW $\frac{1}{4}$		
	Sec 17		
	T 19 S, R 44 E		

The applicant herein, pursuant to the provisions of ORS 540.540 and 540.550, and Chapter 434, Oregon Laws, 1965, proposes to change the place of use, without loss of priority, to the following described lands:

acreage	location	priority	certificate
0.5	SE $\frac{1}{4}$ NW $\frac{1}{4}$	1907	6978
	Sec 14		
	T 18 S, R 45 E		
36.8	NE $\frac{1}{4}$ SW $\frac{1}{4}$	1904	6905
35.8	SE $\frac{1}{4}$ SW $\frac{1}{4}$		
	Sec 14		
6.2	NE $\frac{1}{4}$ SE $\frac{1}{4}$	1904	
1.2	NW $\frac{1}{4}$ SE $\frac{1}{4}$		
	Sec 15		
38.2	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1904	
14.8	NW $\frac{1}{4}$ NE $\frac{1}{4}$		
7.0	SE $\frac{1}{4}$ NE $\frac{1}{4}$		
	Sec 20		
	T 18 S, R 45 E		

acreage	location	priority	certificate
21.5	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1905	7015
7.0	SE $\frac{1}{4}$ SE $\frac{1}{4}$		
	Sec 14		
	T 18 S, R 45 E		
5.5	NE $\frac{1}{4}$ SW $\frac{1}{4}$	1904	6923
30.0	NW $\frac{1}{4}$ SW $\frac{1}{4}$		
28.0	SW $\frac{1}{4}$ SW $\frac{1}{4}$		
19.5	SE $\frac{1}{4}$ SW $\frac{1}{4}$		
	Sec 15		
	T 18 S, R 45 E		
6.3	NE $\frac{1}{4}$ SE $\frac{1}{4}$	1908	6926
7.7	NW $\frac{1}{4}$ SE $\frac{1}{4}$		
26.0	SW $\frac{1}{4}$ SE $\frac{1}{4}$		
27.5	SE $\frac{1}{4}$ SE $\frac{1}{4}$		
	Sec 16		
	T 18 S, R 45 E		
17.8	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1908	6899
6.2	NW $\frac{1}{4}$ NE $\frac{1}{4}$		
0.2	SE $\frac{1}{4}$ NE $\frac{1}{4}$		
	Sec 16		
5.0	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1908	
22.6	NW $\frac{1}{4}$ SW $\frac{1}{4}$		
24.1	SW $\frac{1}{4}$ SW $\frac{1}{4}$		
7.7	SE $\frac{1}{4}$ SW $\frac{1}{4}$		
	Sec 9		
	T 18 S, R 46 E		
36.2	NW $\frac{1}{4}$ NE $\frac{1}{4}$	Apr 1884	6914
14.9	SW $\frac{1}{4}$ NE $\frac{1}{4}$		
28.0	NE $\frac{1}{4}$ NW $\frac{1}{4}$		
36.1	NW $\frac{1}{4}$ NW $\frac{1}{4}$		
22.0	SW $\frac{1}{4}$ NW $\frac{1}{4}$		
35.0	SE $\frac{1}{4}$ NW $\frac{1}{4}$		
	Sec 1		
0.4	NW $\frac{1}{4}$ NW $\frac{1}{4}$	Apr 1884	
	Sec 2		
5.9	SE $\frac{1}{4}$ NW $\frac{1}{4}$	Apr 1884	
	Sec 11		
	T 19 S, R 44 E		
1.0	SW $\frac{1}{4}$ NE $\frac{1}{4}$	1900	6984
24.5	SE $\frac{1}{4}$ NE $\frac{1}{4}$		
	Sec 10		
5.4	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1907	
8.7	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1894	
39.6	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1907	
10.0	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1881	
31.3	SW $\frac{1}{4}$ SW $\frac{1}{4}$	1894	
5.2	SE $\frac{1}{4}$ SW $\frac{1}{4}$		
	Sec 12		

acreage	location	priority	certificate
22.6	NW ¹ / ₄ NE ¹ / ₄	1881	
8.8	NW ¹ / ₄ NE ¹ / ₄	1894	
31.0	SW ¹ / ₄ NE ¹ / ₄		
3.0	SE ¹ / ₄ NE ¹ / ₄	1881	
2.7	SE ¹ / ₄ NE ¹ / ₄	1894	
17.0	SE ¹ / ₄ SW ¹ / ₄	1881	
	Sec 14		
10.0	NE ¹ / ₄ SW ¹ / ₄	1914	
12.5	SE ¹ / ₄ SW ¹ / ₄		
5.2	NE ¹ / ₄ SE ¹ / ₄		
	Sec 15		
20.0	SW ¹ / ₄ SE ¹ / ₄	1907	
20.0	SE ¹ / ₄ SE ¹ / ₄		
	Sec 17		
30.7	NE ¹ / ₄ NE ¹ / ₄	1881	
23.9	NW ¹ / ₄ NE ¹ / ₄		
22.0	NE ¹ / ₄ NW ¹ / ₄		
32.2	NW ¹ / ₄ NW ¹ / ₄		
	Sec 20		
	T 18 S, R 46 E		
10.0	SW ¹ / ₄ NW ¹ / ₄	1909	6963
	Sec 1		
5.8	NE ¹ / ₄ NW ¹ / ₄	1897	
3.0	SW ¹ / ₄ NW ¹ / ₄		
	Sec 2		
4.4	SW ¹ / ₄ SW ¹ / ₄	1897	
6.1	SE ¹ / ₄ SW ¹ / ₄		
13.2	NE ¹ / ₄ SE ¹ / ₄		
15.8	SW ¹ / ₄ SE ¹ / ₄		
15.6	SE ¹ / ₄ SE ¹ / ₄		
	Sec 3		
1.2	SW ¹ / ₄ NW ¹ / ₄	1885	
	Sec 4		
24.0	SE ¹ / ₄ NE ¹ / ₄	1885	
1.0	NE ¹ / ₄ SE ¹ / ₄	1895	
21.5	NE ¹ / ₄ SE ¹ / ₄	1909	
30.9	SE ¹ / ₄ SE ¹ / ₄		
	Sec 5		
2.0	NE ¹ / ₄ NE ¹ / ₄	1885	
31.8	SW ¹ / ₄ NE ¹ / ₄		
12.0	SE ¹ / ₄ NE ¹ / ₄		
28.0	NW ¹ / ₄ NW ¹ / ₄		
12.0	SW ¹ / ₄ NW ¹ / ₄		
21.35	NW ¹ / ₄ SE ¹ / ₄	1909	
6.8	SW ¹ / ₄ SE ¹ / ₄	1885	
1.8	SE ¹ / ₄ SE ¹ / ₄		
	Sec 6		
7.0	NW ¹ / ₄ NW ¹ / ₄	1885	
14.2	NW ¹ / ₄ SE ¹ / ₄		
24.6	SW ¹ / ₄ SE ¹ / ₄		
	Sec 8		

acreage	location	priority	certificate
0.9	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1897	
3.3	NW $\frac{1}{4}$ NW $\frac{1}{4}$		
14.2	SW $\frac{1}{4}$ NW $\frac{1}{4}$		
	Sec 9		
18.4	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1885	
20.5	NW $\frac{1}{4}$ NE $\frac{1}{4}$	1909	
10.5	SE $\frac{1}{4}$ NE $\frac{1}{4}$		
32.6	NE $\frac{1}{4}$ SW $\frac{1}{4}$	1909	
34.2	SE $\frac{1}{4}$ SW $\frac{1}{4}$		
	Sec 10		
	T 19 S, R 44 E		
4.8	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1897	
13.2	NE $\frac{1}{4}$ SE $\frac{1}{4}$		
9.0	NW $\frac{1}{4}$ SE $\frac{1}{4}$		
7.6	SW $\frac{1}{4}$ SE $\frac{1}{4}$		
24.4	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1909	
	Sec 35		
	T 18 S, R 44 E		
19.5	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1881	6970
19.3	SW $\frac{1}{4}$ SE $\frac{1}{4}$		
	Sec 6		
	T 19 S, R 44 E		
8.3	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1885	6952
9.4	NW $\frac{1}{4}$ NE $\frac{1}{4}$		
33.8	SW $\frac{1}{4}$ NE $\frac{1}{4}$		
20.0	SE $\frac{1}{4}$ NE $\frac{1}{4}$		
	Sec 7		
4.4	NW $\frac{1}{4}$ NW $\frac{1}{4}$	1885	
26.6	SW $\frac{1}{4}$ NW $\frac{1}{4}$		
	Sec 8		
	T 19 S, R 44 E		
9.7	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Mar 1881	6969
8.4	SE $\frac{1}{4}$ SW $\frac{1}{4}$		
30.0	NE $\frac{1}{4}$ SE $\frac{1}{4}$		
12.5	SW $\frac{1}{4}$ SE $\frac{1}{4}$		
39.6	SE $\frac{1}{4}$ SE $\frac{1}{4}$		
	Sec 7		
25.8	NW $\frac{1}{4}$ SW $\frac{1}{4}$	Mar 1881	
13.8	SW $\frac{1}{4}$ SW $\frac{1}{4}$		
	Sec 8		
	T 19 S, R 44 E		
10.9	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Apr 1886	7006
0.3	SE $\frac{1}{4}$ SW $\frac{1}{4}$		
	Sec 12		
27.7	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Apr 1886	
3.4	NW $\frac{1}{4}$ NW $\frac{1}{4}$		
25.4	SW $\frac{1}{4}$ NW $\frac{1}{4}$		
29.6	SE $\frac{1}{4}$ NW $\frac{1}{4}$		
	Sec 14		
	T 19 S, R 44 E		

acreage	location	priority	certificate
5.9	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Apr 1886	
15.1	NW $\frac{1}{4}$ NE $\frac{1}{4}$		
12.6	SW $\frac{1}{4}$ NE $\frac{1}{4}$		
0.4	SE $\frac{1}{4}$ NE $\frac{1}{4}$		
13.0	NE $\frac{1}{4}$ NW $\frac{1}{4}$		
	Sec 6		
16.2	SW $\frac{1}{4}$ NW $\frac{1}{4}$	Apr 1886	
	Sec 7		
	T 19 S, R 45 E		
30.5	SE $\frac{1}{4}$ SW $\frac{1}{4}$	Apr 1886	
	Sec 29		
10.2	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Apr 1886	
11.5	SW $\frac{1}{4}$ SE $\frac{1}{4}$		
21.1	SE $\frac{1}{4}$ SE $\frac{1}{4}$		
	Sec 31		
	T 18 S, R 45 E		
15.6	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1898	7000
34.4	NW $\frac{1}{4}$ NW $\frac{1}{4}$		
	Sec 17		
7.5	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1898	
	Sec 18		
	T 19 S, R 44 E		

No objections having been filed and it appearing that the proposed changes 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 requested changes in place of use described herein, without loss of priority, are approved.

The irrigation of the lands to which the rights are hereby transferred has been completed as shown on the final proof survey map made in connection with permit number 4303; therefore,

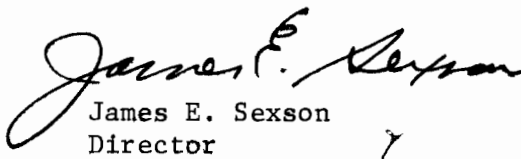
It is FURTHER ORDERED that no time need be fixed for completion.

It is FURTHER ORDERED that the following described certificates of water right are canceled and in lieu thereof new certificates be issued confirming the changes approved herein and including the balance of the rights NOT involved in

this proceeding:

Name	Recorded at Page No.
T. H. Moore	6978
Henry S. Eldredge	6905
W. H. Smith	7015
George W. Hanna	6923
James Harvey	6926
David Dunbar	6899
Gellerman-Froman Ditch Co.	6914
Nevada Ditch Co.	6984
Malheur Farmers Irrigating Co.	6963
McLaughlin, Mrs. J. B., et. al.	6970
Kelsey & Bell	6852 6952
McLaughlin Ditch Co.	6969
Sand Hollow Ditch Co.	7006
Ricker Ditch Co.	7000

Dated at Salem, Oregon, this 23rd day of March, 1978.


James E. Sexson
Director