

BEFORE THE STATE ENGINEER OF OREGON

Wallowa County

IN THE MATTER OF THE APPROVAL)
 OF A CHANGE IN PLACE OF USE)
 OF WATER ON APPLICATION OF)) O R D E R
 BYRON HOMAN AND B.C. TERRY)

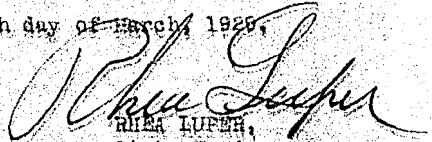
Application has been made by Byron Homan and B. C. Terry of Enterprise, Oregon for change in place of use of water from Silver Creek a tributary of the South Fork Wallowa River. The right proposed to be transferred is under Permit No. 568 and has been confirmed by a water right certificate issued on December 4, 1919 and recorded in State Record of Water Right Certificates, Volume 5, Page 2481. This certificate describes in addition to other lands, 40 acres in the NW¹/₄SW¹/₄ of Section 5, Township 2 South, Range 44 East, W.M. and the right for this land is to be transferred to 20 acres in the E¹/₂SW¹/₄NW¹/₄ and 20 acres in the SW¹/₄SW¹/₄ of Section 16, Township 2 South, Range 44 East, W.M.

The 40 acres in the NW¹/₄SW¹/₄, Section 5 owned by Mr. Homan lies below the canal of the Alderslope Ditch Company and has a good and sufficient water right from Hurricane Creek through the Alderslope Ditch and the waters of Silver Creek are no longer required for these lands. The lands of Mr. Terry are located above the Alderslope Canal and there is no sufficient water supply available for the irrigation of these lands except the supply from Silver Creek. The use of water on these upper lands will be more economical than the use on the lands of Mr. Homan because such lands are located approximately 2 miles up the ditch and the use on these upper lands will eliminate the necessity for carrying water through approximately 2 miles of the Silver Creek Canal. It would not appear that approval of this change in place of use will be an injury to the rights of any other appropriators of water from this stream.

Therefore it is ORDERED that the proposed transfer as above described be and the same is hereby approved and

It is further ORDERED that a water right certificate be issued to Mr. B. C. Terry confirming his right to the use of water on 20 acres in the ~~NE 1/4 SW 1/4~~ and the ~~SE 1/4 SW 1/4~~ of Section 16, Township 2 South, Range 44 East, said certificate to confirm his right without loss of its original priority of October 25, 1910.

Dated at Salem, Oregon this 6th day of March, 1925,


RHEA LUPER,
State Engineer.

*Annotations made in Cert. No. 2781.
Amended to this order Cert. No.
2744 was assigned to B.C. Terry.*