

BEFORE THE STATE ENGINEER OF OREGON

Umatilla County

IN THE MATTER OF THE APPLICATION OF)
ERNEST R. SIRES AND MARY V. SIRES FOR)
THE APPROVAL OF A CHANGE IN PLACE OF USE)
OF WATER FROM UMATILLA RIVER.)
-----)

O R D E R
APPROVING APPLICATION

On September 20, 1948, Ernest R. Sires and Mary V. Sires of Stanfield, Oregon, filed an application for the approval of a change in place of use of water from Umatilla River, pursuant to the provisions of Section 116-606, O.C.L.A.

By decree of the Circuit Court for Umatilla County, dated September 9, 1916, in the matter of the determination of the relative rights of the various claimants to the use of the waters of Umatilla River and its tributaries, a water right was adjudicated in the name of Pioneer Irrigation Company for the irrigation of, among other lands, 40 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, Township 3 North, Range 29 East, W.M., from Umatilla River with a date of priority of January 9, 1900, of which 36 acres have a vested right and 4 acres have an inchoate right.

The applicants herein, owners of the above described land, propose to transfer 5 acres of the vested water right therefrom, without loss of priority, to 5 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, Township 3 North, Range 29 East, W.M.

Notice by publication as provided by Section 116-606, O.C.L.A., was not given in connection with this application for the reason said section provides that notice is not required in applications for only a change in place of use of water.

The Pioneer Irrigation Company, through its President and Secretary, has filed a statement approving the proposed change in place of

use of water.

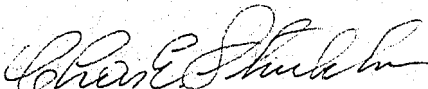
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water be and the same hereby is approved, and that the water right hereinbefore described as appurtenant to 5 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, Township 3 North, Range 29 East, W.M., be severed therefrom and simultaneously and without loss of priority transferred to 5 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, Township 3 North, Range 29 East, W.M.

IT IS FURTHER ORDERED that complete application of water to beneficial use on the lands to which the water is transferred hereby shall be made on or before October 1, 1949, or such extension of time as may be granted by the State Engineer for good cause shown.

IT IS FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of the complete application of water to beneficial use upon the land to which the water is transferred hereby, a certificate of water right shall be issued to the Pioneer Irrigation Company, or their successor in interest, to the extent to which the water has been applied beneficially, said certificate to be issued at the time certificates are issued on the inchoate rights allowed in the Umatilla River Adjudication proceedings.

Dated at Salem, Oregon, this 6th day of December, 1948.


CHAS. E. STRICKLIN
State Engineer

Noted on Decree record,

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