

2713 DILL & Florence Ross
Jordan Valley

2773

STATUS OF APPLICATION

Change in An. Addn Pt. of Diversion
Date filed MAR. 10, 1973
Date of hearing July 23, 1974
Place of hearing Idaho
Date of order 6-4-75 Vol. 25, page 369
Date for application of water 10-1-76
Proof mailed _____
Proof received _____
Certificate issued FEB 11 1987 Vol. 51, page 55595
JUN 3 0 2005

0095-Valley

81437
to survey 9/77

DESCRIPTION OF WATER RIGHT

Name of stream Jordan Creek
Trib. of _____ County of Malheur
Use Irrigation
Quantity of water _____ No. of acres 410⁰
Name of ditch Lambert (west) ditch
Date of priority 1871 1888
In name of S.E. Ross
Owyhee River Adjudication, Vol. 9, page 59
App. No. _____ Per. No. _____ Cert. No. 27617
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-12-73</u>	<u>25.00</u>	<u>32802</u>
<u>3-12-73</u>	<u>.85 P.O.N.</u>	<u>32803</u>
<u>5-16-74</u>	<u>40.00 P.O.N.</u>	<u>40120</u>
TOTAL . . .		
<u>6-18-74</u>	<u>3⁰⁰ Cert. Fee</u>	<u>From P.O.N.</u>

FEES REFUNDED

Date	Amount	Check No.
<u>6-18-74</u>	<u>*1.65 P.O.N.</u>	<u>5828</u>

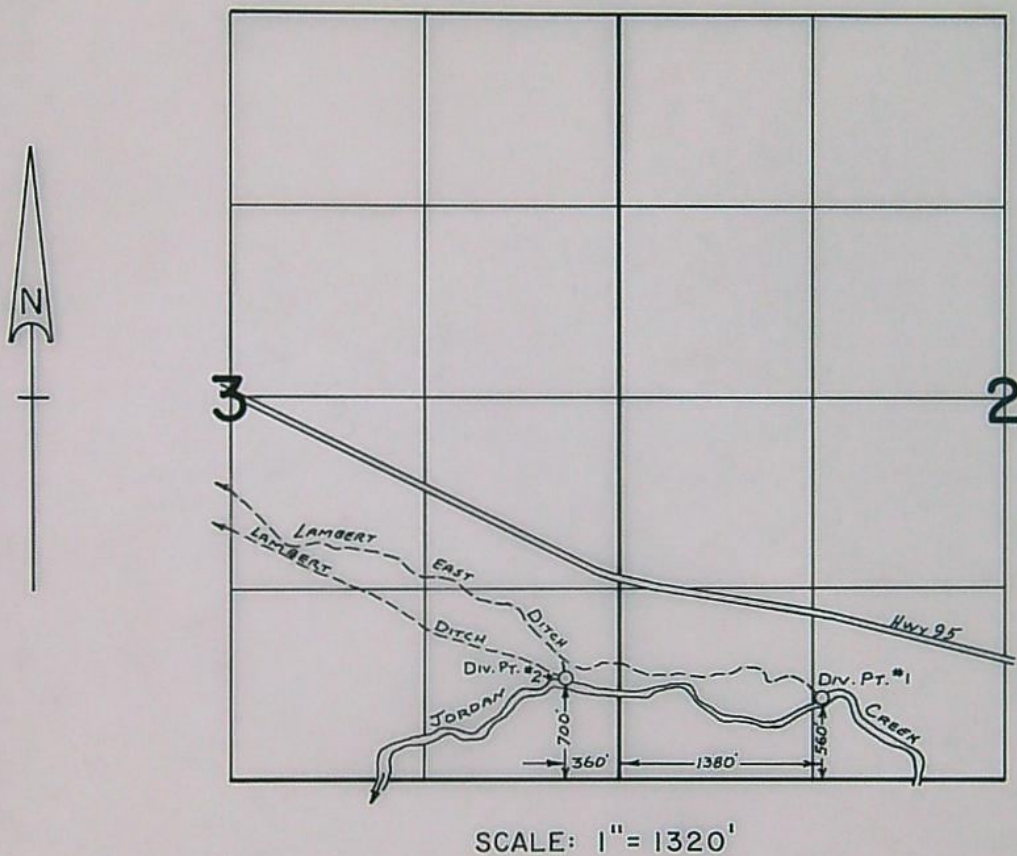
REMARKS

This includes land transferred by Sp. Or. Vol. 8, pg. 76 (R-47) Nov. 20, 1953

INDEX CARDS:	Entered	Checked
<u>W</u> Name	<u>✓</u>	<u> </u>
<u>W</u> Stream	<u>✓</u>	<u> </u>
<u>W</u> Pt. of Div.	<u>✓</u>	<u> </u>
<u>W</u> Calendar	<u>✓</u>	<u> </u>
CHECKED TO RECORDS:		
<u>W</u> Twp. & Rge.	<u>✓</u>	<u> </u>
<u>W</u> Decree-vault	<u>✓</u>	<u> </u>
<u>W</u> Decree-safe	<u>✓</u>	<u> </u>
<u>W</u> Cert. of W/E	<u>✓</u>	<u> </u>
Per. Folder	<u> </u>	<u> </u>
Chainindex	<u> </u>	<u> </u>
Cross Ref.	<u> </u>	<u> </u>
Power Claim	<u> </u>	<u> </u>
Abstracts	<u> </u>	<u> </u>

TO BE ENTERED WHERE CHECKED

30
T.29S., R.46E., W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY UNDER

Transfer No. 2773
Application No. Permit No.
IN NAME OF

BILL & FLORENCE ROSS

Surveyed Oct. 18, 1985, by L. M. TOLL

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GEORGE AND DOROTHY PAYNE, AND LAZARO AND VIVIAN MENDIETA
c/o TED PAYNE
CLIFF STAGE ROUTE
JORDAN VALLEY, OREGON 97910

confirms the right to use the waters of JORDAN CREEK FOR TRACTS 1 AND 2, AND HOOKER CREEK FOR TRACT 3, tributaries of the OWYHEE RIVER, for IRRIGATION OF 481.7 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for MALHEUR COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 9, at Page 1. The dates of priority are 1888 FOR TRACT 1, 1871 FOR TRACT 2, AND 1870 FOR TRACT 3.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2 ACRE- FEET PER ACRE PRIOR TO JUNE 1, AND 1/2 ACRE-FOOT PER ACRE DURING ANY CALENDAR MONTH AFTER JUNE 1, of each irrigation season from APRIL 1 to OCTOBER 15, and the use of water herein described from Tracts 1 and 2 is further limited to the quantity of water available at the original point of diversion for Tracts 1 and 2 in the SE 1/4 SE 1/4, SECTION 3, T 30 S, R 46 E, W.M.; 700 FEET NORTH 360 FEET WEST FROM THE SE CORNER, SECTION 3.

T-2773.LHN

CERTIFICATE NUMBER 81437

The points of diversion for Tracts 1 and 2 are located as follows:

LAMBERT EAST DITCH - SE 1/4 SW 1/4, SECTION 2, T 30 S, R 46 E, W.M.; 560 FEET NORTH AND 1380 FEET EAST FROM THE SE CORNER, SECTION 3;

LAMBERT DITCH - SE 1/4 SE 1/4, SECTION 3, T 30 S, R 46 E, W.M.; 700 FEET NORTH AND 360 FEET WEST FROM THE SE CORNER, SECTION 3.

A description of the place of use to which this right is appurtenant is as follows:

TRACT 1

NW 1/4 NE 1/4	36.2 ACRES
NE 1/4 NW 1/4	25.2 ACRES
SE 1/4 NW 1/4	6.8 ACRES

SECTION 32

SW 1/4 SW 1/4	7.8 ACRES
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SECTION 34

TOWNSHIP 29 SOUTH, RANGE 46 EAST, W.M.

(This land has a supplemental supply from Hooker Creek under priority of 1870)

TRACT 2

SW 1/4 NW 1/4	26.4 ACRES
NW 1/4 SW 1/4	36.1 ACRES
SW 1/4 SW 1/4	32.0 ACRES

SECTION 28

NE 1/4 NE 1/4	3.0 ACRES
NW 1/4 NE 1/4	3.7 ACRES
SW 1/4 NE 1/4	28.0 ACRES
SE 1/4 NE 1/4	37.6 ACRES
NE 1/4 SW 1/4	3.2 ACRES
SE 1/4 SW 1/4	4.0 ACRES
NE 1/4 SE 1/4	40.0 ACRES
NW 1/4 SE 1/4	40.0 ACRES
SW 1/4 SE 1/4	40.0 ACRES
SE 1/4 SE 1/4	40.0 ACRES

SECTION 29

TOWNSHIP 29 SOUTH, RANGE 46 EAST, W.M.

(Some of this land has a supplemental supply from Hooker Creek under Priority of 1870)

TRACT 3

NW 1/4 NW 1/4	30.5 ACRES
SW 1/4 NW 1/4	9.7 ACRES

SECTION 28

NE 1/4 NE 1/4	29.1 ACRES
SE 1/4 NE 1/4	2.4 ACRES

SECTION 29

TOWNSHIP 29 SOUTH, RANGE 46 EAST, W.M.

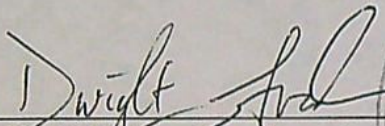
(This water is used as a supplemental right for all the lands irrigated in Sections 28 and 29, T 29 S, R 46 E, W.M.)

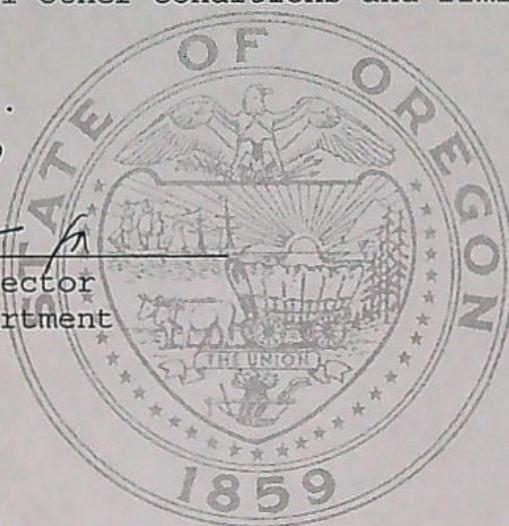
THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE LOCATION OF THE POINTS OF DIVERSION AND SUPERSEDES CERTIFICATE 55595.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

Issued JUNE 30, 2005.


Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 81437.

T-2773.LHN

STATE OF OREGON

COUNTY OF

MALHEUR

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

BILL AND FLORENCE ROSS

of Box 156, Jordan Valley, State of OR 97910, has
 a right to the use of the waters of Jordan Creek for Tracts #1 and #2, Hooker Creek
 for Tract #3

a tributary of Owyhee River
 irrigation of 481.7 acres

for the purpose of

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
 Malheur County, and the said decree entered of record at Salem, in the Order Record of
 the WATER RESOURCES DIRECTOR, in Volume 9, at page 1; that the priority of the
 right thereby confirmed dates from 1888 for Tract #1, 1871 for Tract #2, 1870 for
 Tract #3

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
 amount actually beneficially used for said purposes, and shall not exceed 2 acre feet per
 acre prior to June 1, and 1/2 acre foot per acre during any calendar month
 after June 1, of each irrigation season from April 1 to October 15, and the
 use of water herein described from Tracts #1 & #2 is further limited to the
 quantity of water available at the original point of diversion for Tracts #1 & #2
 The point of diversion is located in the SE 1/4 SW 1/4, Section 2; SE 1/4 SE 1/4,
 Section 3, T29S, R46E, WM; for Tracts #1 and #2; 560 feet North and 1380 feet
 East; 700 feet North and 360 feet West; both from SE corner Section 3.

A description of the place of use under the right, and to which such right is appurtenant, is as
 follows:

*#2 in the SE 1/4 SE 1/4, Section 3, T29S, R46E, WM; 700 feet North and 360
 feet West from SE corner Section 3

SEE NEXT PAGE

pod twp

s/b 30

Fixed 6/1/05
 LHX

T-2773

C# 81437

f Dorothy
 Payne George
 Mendieta Lazaro
 LAZARO
 Vivian
 Ted Payne
 Cliff Stage Rt
 Jordan Valley
 97910

Tract #1: 36.2 acres NW 1/4 NE 1/4, 25.2 acres NE 1/4 NW 1/4, 6.8 acres SE 1/4 NW 1/4, Section 32, 7.8 acres SW 1/4 SW 1/4, Section 34, T29S, R46E, W.M. (This land has a supplemental supply from Hooker Creek under priority of 1870)

Tract #2: 26.4 acres SW 1/4 NW 1/4, 36.1 acres NW 1/4 SW 1/4, 32.0 acres SW 1/4 SW 1/4, Section 28, 3.0 acres NE 1/4 NE 1/4, 3.7 acres NW 1/4 NE 1/4, 28.0 acres SW 1/4 NE 1/4, 37.6 acres SE 1/4 NE 1/4, 3.2 acres NE 1/4 SW 1/4, 4.0 acres SE 1/4 SW 1/4, 40.0 acres NE 1/4 SE 1/4, 40.0 acres NW 1/4 SE 1/4, 40.0 acres SW 1/4 SE 1/4, 40.0 acres SE 1/4 SE 1/4, Section 29, T29S, R46E, W.M. (Some of this land has a supplemental supply from Hooker Creek under priority of 1870)

Tract #3: 30.5 acres NW 1/4 NW 1/4, 9.7 acres SW 1/4 NW 1/4, Section 28, 29.1 acres NE 1/4 NE 1/4, 2.4 acres SE 1/4 NE 1/4, Section 29, T29S, R46E, W.M. (This water is used as a supplemental right for all the lands irrigated in Section 28 and 29, T29S, R46E, W.M.)

This certificate is issued to confirm an additional point of diversion approved by an order of the Water Resources Director entered June 4, 1975 and also describes that portion of the prior right NOT modified by the provisions of said order, and supersedes certificate of water right recorded at page 27617, Volume 19, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date February 11, 19 87.

/s/ William H. Young

Water Resources Director

81437

BEFORE THE STATE ENGINEER OF OREGON

Malheur County

IN THE MATTER OF THE APPLICATION OF
BILL AND FLORENCE ROSS FOR THE APPROVAL
OF ESTABLISHING AN ADDITIONAL POINT OF
DIVERSION OF WATER FROM JORDAN CREEK

ORDER APPROVING
TRANSFER NO. 2773

On March 12, 1973, Bill and Florence Ross filed an application in the office of the State Engineer for the approval of establishing an additional point of diversion of water from Jordan Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Malheur County, Oregon, entered July 7, 1926, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Owyhee River and its Tributaries, a water right was established in the name of W. M. Lambert for the use of the waters of Jordan Creek for the irrigation of, among other lands, 26.4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 36.1 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 32.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, 3.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 3.7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 28.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 37.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 3.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 4.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, Township 29 South, Range 46 East, W.M., with a date of priority of 1871, and 36.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 25.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 6.8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, and 7.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 29 South, Range 46 East, W.M., with a date of priority of 1888.

The applicants herein, owners of the lands above described, propose to maintain the present point of diversion and establish an additional point of diversion to be located South 59° 40' East 1595 feet from the Northwest corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, Township 30 South, Range 46 East, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed additional point of diversion of water, if any there were, namely: at the county courthouse in Vale, Oregon, on July 23, 1974, at 9:30 a.m. The notice was published in the Nyssa Gate City Journal, a newspaper printed and having general circulation in Malheur County, Oregon, for a period of three weeks in the issues of May 30, June 6, and 13, 1974. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Frank W. Elfering, Watermaster of District No. 9, has filed a report to the effect that the proposed additional point of diversion of water may be established without injury to existing rights.

No objections having been filed and it appearing that the proposed additional point of diversion may be established without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the applicant may maintain the present diversion of water from Jordan Creek, to wit:

From a point located 560 feet South and 460 feet West from the Northwest corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 30 South, Range 46 East, W.M.

And may establish and maintain an additional point of diversion to be located South 59° 40' East 1595 feet from the Northwest corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, Township 30 South, Range 46 East, W.M.

for the irrigation of 26.4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 36.1 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 32.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, 3.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 3.7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 28.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 37.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 3.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 4.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, Township 29 South, Range 46 East, W.M., with a date of priority of 1871, and 36.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 25.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$,

Gibraltar Onion Skin

MILLERS FALLS

6.8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, and 7.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 29 South, Range 46 East, W.M., with a date of priority of 1888, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the establishment of the additional point of diversion of water made on or before October 1, 1976.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that certificate of water right heretofore issued to S. E. Ross and recorded at page 27617, Volume 19, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the State Engineer of completion of the authorized point of diversion, a certificate of water right shall be issued to Bill and Florence Ross confirming the additional point of diversion and including the balance of the lands not involved in this proceedings.

Dated at Salem, Oregon, this 4th day of June, 1975.

/s/ CHRIS L. WHEELER
State Engineer

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MILLERS FALLS

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This Is to Certify, That *Bill & Florence* ~~S. E.~~ ROSSof *Box 156* Jordan Valley, State of Oregon *97910*, has a right to the use ofthe waters of Jordan Creek for Tracts #1 and #2, Hooker Creek for Tract #3
tribe Owyhee River
for the purpose of Irrigation *of 481.7 acres*

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Malheur County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 9, at page 1; that the priority of the right thereby confirmed dates from 1888 for Tract #1; 1871 for Tract #2; 1870 for Tract #3

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 2 acre feet per acre prior to June 1st, and $\frac{1}{2}$ acre foot per acre during any calendar month after June 1st, of each irrigation season from April 1st to October 15th, *Available at the original P.O.D. for Tracts #1 & #2 in the SE4SE4 Sec 3, T. 29 S., R. 46 E., W.M.; 700' N. & 360' W. from the SE Cor. Sec 3.*A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:
Tract #1: 36.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 25.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 6.8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, 7.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, T. 29 S., R. 46 E., W.M. (This land has a supplemental supply from Hooker Creek under priority of 1870)Tract #2: 26.4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 36.1 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 32.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, 3.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 3.7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 28.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 37.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 3.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 4.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, T. 29 S., R. 46 E., W.M. (Some of this land has a supplemental supply from Hooker Creek under priority of 1870)Tract #3: 30.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 9.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, 29.1 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 2.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, T. 29 S., R. 46 E., W.M. (This water is used as a supplemental right for all the lands irrigated in Section 28 and 29, T. 29 S., R. 46 E., W.M.).

Notes:

This certificate is issued to confirm a ^{ADDITIONAL} change in point of diversion approved by an order of the Water Resources Director entered *6-4-75* (*) and supersedes certificate of water right recorded at page *27617*, Volume *19*, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

(*) and also describes that portion of the prior right NOT modified by the provisions of said order,

WITNESS the signature of the State Engineer, affixed

this 17th day of October, 1960.

Lewis A. Stanley

State Engineer

Recorded in State Record of Water Right Certificates, Volume 19, page *27617-55595**described from Tract #1 & #2 the quantity of water to the use of water herein is further limited to the**P.O.D.'s: SE4SW4 Sec 2; SE4SE4 Sec 3, T. 29 S., R. 46 E., W.M.; 700' N. & 360' W.; both from the SE Cor. Sec 3.**8108 D*

NOTICE OF FILING
APPLICATION FOR AN
ADDITIONAL POINT OF
DIVERSION

Notice is given hereby that Bill and Florence Ross have filed an application for the approval of an additional point of diversion of water from Jordan Creek.

In the Owyhee River Adjudication proceedings a water right was established in the name of S.E. Ross for the use of the waters of Jordan Creek for the irrigation of, among other lands, 26.4 acres in SW 1/4 NW 1/4, 36.1 acres in NW 1/4 SW 1/4, 32 acres in SW 1/4 SW 1/4, Sec. 28; 3 acres in NE 1/4 NE 1/4, 3.7 acres in NW 1/4 NE 1/4, 28 acres in SW 1/4 NE 1/4, 37.6 acres in SE 1/4 NE 1/4, 3.2 acres in NE 1/4 SW 1/4, 4.0 acres in SE 1/4 SW 1/4, 40 acres in NE 1/4 SE 1/4, 40 acres in NW 1/4 SE 1/4, 40 acres in SW 1/4 SE 1/4, 40 acres in SE 1/4 SE 1/4, Sec. 29, T. 29 S., R. 46 E., W.M., with a date of priority of 1871; 36.2 acres in NW 1/4 NE 1/4, 25.2 acres in NE 1/4 NW 1/4, 6.8 acres in SE 1/4 NW 1/4, Sec. 32, and 7.8 acres in SW 1/4 SW 1/4, Sec. 34, T. 29 S., R. 46 E., W.M., with a date of priority of 1888. The point of diversion is located 560 ft. S. and 460 ft. W. from the NW corner of SW 1/4 SW 1/4, Sec. 2, being within the SE 1/4 SE 1/4, Sec. 3, T. 30 S., R. 46 E., W. M.

The applicants herein, owner of the lands above described, propose to maintain the present point of diversion and establish an additional point of diversion to be located 359 degrees 40 ft. E., 1595 ft. from the NW corner of SW 1/4 SW 1/4, being within the SE 1/4 SW 1/4, Sec. 2, T. 30 S., R. 46 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Vale, Oregon on July 23, 1974 at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Bill and Florence Ross, Jordan Valley, Oregon 97910, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 filing fee, at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the State Engineer without a hearing.

Dated at Salem, Oregon, this 23rd day of May, 1974
Chris L. Wheeler
State Engineer
Published May 30, June 6,
13, 1974

Affidavit of Publication

STATE OF OREGON, }
COUNTY OF MALHEUR. } ss.

I, Patricia Savage Bookkeeper, being first duly sworn, upon my oath say: That I am ~~advertising manager~~ of **THE NYSSA GATE CITY JOURNAL**, a weekly newspaper printed and published at Nyssa, Malheur County, Oregon, That the attached notice of Filing For Additional Point of Diversion

was duly and regularly published in the said Gate City Journal once each week for 3 consecutive weeks, being 3 issues of said newspaper, commencing with the issue of May 30, 19 74 and ending with the issue of June 13, 19 74 being the issues of May 30, 19 74 June 6, 19 74 June 13, 19 74 _____, 19 _____, 19 _____

That said newspaper was duly and regularly published and circulated during said period; that said attached notice of Filing For Additional Point of Diversion

was so published in a regular edition and not in any supplement thereof; that the said GATE CITY JOURNAL is a newspaper of general circulation, made up of at least 4 pages of at least 5 columns each, of at least 17 3/4 inches in depth of type matter; that said newspaper has a bonafide subscription of more than 200 bonafide subscribers living within Malheur County, Oregon, and that said newspaper has been established and regularly and uninterruptedly published in Malheur County, Oregon, at least once a week during a period of at least 12 consecutive months immediately preceding the publication of this Notice of Filing For Additional Point of Diversion

The cost of this publication is \$ 36.20

Patricia Savage

Subscribed and sworn to before me this thirteenth

day of June, 19 74

D. J. Medley
Notary Public for the State of Oregon

My Commission Expires September 20, 19 76

NOTICE OF FILING
APPLICATION FOR AN
ADDITIONAL POINT OF
DIVERSION

Notice is given hereby that Bill and Florence Ross have filed an application for the approval of an additional point of diversion of water from Jordan Creek.

In the Owyhee River Adjudication proceedings a water right was established in the name of S.E. Ross for the use of the waters of Jordan Creek for the irrigation of, among other lands, 26.4 acres in SW 1/4 NW 1/4, 36.1 acres in NW 1/4 SW 1/4, 32 acres in SW 1/4 SW 1/4, Sec. 28; 3 acres in NE 1/4 NE 1/4, 3.7 acres in NW 1/4 NE 1/4, 28 acres in SW 1/4 NE 1/4, 37.6 acres in SE 1/4 NE 1/4, 3.2 acres in NE 1/4 SW 1/4, 4.0 acres in SE 1/4 SW 1/4, 40 acres in NE 1/4 SE 1/4, 40 acres in NW 1/4 SE 1/4, 40 acres in SW 1/4 SE 1/4, 40 acres in SE 1/4 SE 1/4, Sec. 29, T. 29 S., R. 46 E., W.M., with a date of priority of 1871; 36.2 acres in NW 1/4 NE 1/4, 25.2 acres in NE 1/4 NW 1/4, 6.8 acres in SE 1/4 NW 1/4, Sec. 32, and 7.8 acres in SW 1/4 SW 1/4, Sec. 34, T. 29 S., R. 46 E., W.M., with a date of priority of 1888. The point of diversion is located 560 ft. S. and 460 ft. W. from the NW corner of SW 1/4 SW 1/4, Sec. 2, being within the SE 1/4 SE 1/4, Sec. 3, T. 30 S., R. 46 E., W. M.

The applicants herein, owner of the lands above described, propose to maintain the present point of diversion and establish an additional point of diversion to be located 359 degrees 40 ft. E., 1595 ft. from the NW corner of SW 1/4 SW 1/4, being within the SE 1/4 SW 1/4, Sec. 2, T. 30 S., R. 46 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Vale, Oregon on July 23, 1974 at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Bill and Florence Ross, Jordan Valley, Oregon 97910, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 filing fee, at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the State Engineer without a hearing.

Dated at Salem, Oregon, this 23rd day of May, 1974

Chris L. Wheeler
State Engineer

Published May 30, June 6, 13, 1974

Affidavit of Publication

STATE OF OREGON, }
COUNTY OF MALHEUR. } ss.

I, Patricia Savage Bookkeeper, being first duly sworn, upon my oath say: That I am advertising manager of **THE NYSSA GATE CITY JOURNAL**, a weekly newspaper printed and published at Nyssa, Malheur County, Oregon,

That the attached notice of Filing For Additional Point of Diversion

was duly and regularly published in the said Gate City Journal once each week for 3 consecutive weeks, being

3 issues of said newspaper, commencing

with the issue of May 30, 19 74

and ending with the issue of June 13, 19 74

being the issues of May 30, 19 74

June 6, 19 74 June 13, 19 74

, 19 74 , 19 74

That said newspaper was duly and regularly published and circulated during said period; that said attached notice of

Filing For Additional Point of Diversion

was so published in a regular edition and not in any supplement thereof; that the said GATE CITY JOURNAL is a newspaper of general circulation, made up of at least 4 pages of at least 5 columns each, of at least 17 1/4 inches in depth of type matter; that said newspaper has a bonafide subscription of more than 200 bonafide subscribers living within Malheur County, Oregon, and that said newspaper has been established and regularly and uninterruptedly published in Malheur County, Oregon, at least once a week during a period of at least 12 consecutive months immediately preceding the publication of this

Notice of Filing For Additional Point of Diversion

The cost of this publication is \$ 36.20

Patricia Savage thirteenth
Subscribed and sworn to before me this

day of June, 19 74

D. S. Medley
Notary Public for the State of Oregon

My Commission Expires September 20, 19 76