

2813

STATUS OF APPLICATION

Change in Point of Diversion
 Date filed MAY 14, 1973
 Date of hearing _____
 Place of hearing _____
 Date of order 6-19-78 Vol. 30, page 742
 Date for application of water completed
 Proof mailed _____
 Proof received _____
 Certificate issued JUL 3 1979 Vol. 41, page 48313
DEC 31 1985 48 53668

DESCRIPTION OF WATER RIGHT

Name of stream Walla Walla River
 Trib. of _____ County of Walla Walla
 Use Irrigation & Stock
 Quantity of water _____ No. of acres 63¹
 Name of ditch Silver Lake ditch
 Date of priority 1893
 In name of Silver Lake Water Ditch Company
Walla Walla River Adjudication, Vol. 5, page 194
 App. No. _____ Per. No. _____ Cert. No. 3157
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>5-14-73</u>	<u>25.00</u>	<u>33791</u>
<u>3-5-74</u>	<u>40.00 P.O.D.</u>	<u>38906</u>
TOTAL . . .		
<u>6-23-78</u>	<u>2⁰⁰ Cert. Fee</u>	<u>Trat from 38906</u>

FEES REFUNDED

Date	Amount	Check No.
<u>6-23-78</u>	<u>\$ 38⁰⁰</u>	<u>2409</u>
Exam	<u>15⁰⁰</u>	
P.O.D.	<u>10⁰⁰</u>	
Cert Fee	<u>2⁰⁰</u>	
	<u>27⁰⁰</u>	

REMARKS

See # 44050

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

STATE OF OREGON

COUNTY OF

Wallowa

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

Blanche Young

of Rt 1 - Box 255, Joseph, State of Or. 97846, has
a right to the use of the waters of Wallowa River

a tributary of Grande Ronde River

for the purpose of

irrigation of 63.1 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Wallowa County, and the said decree entered of record at Salem, in the Order Record of
the WATER RESOURCES DIRECTOR, in Volume 5, at page 194; that the priority of the right
thereby confirmed dates from 1893

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 1 1/2 acre feet per
acre during any period of 30 days prior to July 31st of each
year, and thereafter not to exceed 1 acre foot per acre during
the entire remainder of the irrigation season, if available at the
original point of diversion in Lot 4 (NE 1/4 NW 1/4) Sec 5, T. 35, R. 45E, W.M.;
The point of diversion is located in the Lot 5 (NW 1/4 NW 1/4) Sec 5, T. 35, R. 45E, W.M.;
Farmers Ditch - S. 77 degrees, 20 minutes East, 624 ft. from the
NW Cor. Sec. 5.

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

23.1 ac NE 1/4 SW 1/4
40.0 ac NW 1/4 SW 1/4
Sec 27
T. 25, R. 45E, W.M.

This certificate is issued to confirm a change in ~~place of use and~~ point of
diversion approved by an order of the Water Resources Director
entered 6-19-78 and together with certificate of water right
recorded at page 48313, Volume 41, State Record of
Water Right Certificates, supersedes certificate 3157.

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.

this date

, 19

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume , page

53608

539161
Silver Lake Ditch - 900' S. of 1700' E. from the NW Cor. Sec 5.

13510

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WALLOWA COUNTY

IN THE MATTER OF THE APPLICATION)
OF DAVE YOUNG FOR APPROVAL OF A)
CHANGE IN POINT OF DIVERSION OF)
WATER FROM WALLOWA RIVER)

ORDER APPROVING
TRANSFER NO. 2813

On May 14, 1973, an application was filed in the office of the Water Resources Director by Dave Young for approval of a change in point of diversion from Wallowa River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 3157, Volume 4, State Record of Water Right Certificates, in the name of Silver Lake Water Ditch Company, describes a right which includes the use of water from Wallowa River for the irrigation of a certain 23.1 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 2 South, Range 45 East, W.M., with a date of priority of 1893.

The authorized point of diversion of record is located 900 feet South and 1700 feet East from the Northwest Corner of Section 5, being within Lot 4 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 5, Township 3 South, Range 45 East, W.M. (Silver Lake Ditch).

The applicant herein proposes to change the point of diversion therefrom, without loss of priority, to an existing point of diversion located 215 feet South and 700 feet East from the Northwest Corner of Section 5, being within Lot 5 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 5, Township 3 South, Range 45 East, W.M. (Farmers Ditch).

Mr. Robert W. DeBow, Watermaster, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of diversion as described herein, without loss of priority, is approved.

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 under the subject right.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed:

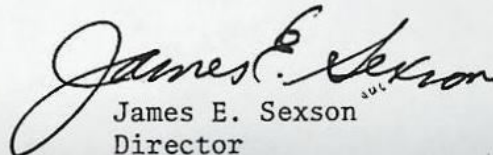
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 NO time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Silver Lake Water Ditch Company and recorded at page 3157, Volume 4, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 19th day of June, 1978.


James E. Sexson
Director

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that the SILVER LAKE WATER DITCH COMPANY, a corporation, by G. M. Tucker, of Joseph, State of Oregon, has a right to the use of the waters of the Wallowa River, a tributary of the Grande Ronde River, for the purpose of the irrigation of 4,075 acres of land, domestic and stock use, and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of Oregon, in Volume 4, at pages 194, 195 and 196; that the priority of the right hereby confirmed dates from 1893; that the amount of water to which such right is entitled and hereby confirmed for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1 1/2 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such rights, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows:

<p>SE 1/4 NE 1/4 an 40 acres 13 1/2 ac 80 ac in in the N</p> <p>16.9 ac in NE 1/4 SW 1/4 80.0 ac in S 1/2 SW 1/4</p> <p>NW 1/4 SW 1/4 and 17 1/2 a 32 acres Section 3 3 acres in Willamett 16 acres NE 1/4 NW 1/4 of of Sectio all in Wa</p> <p>the NE 1/4 SW Meridian,</p>	<p>10 ac. in SW 1/4 SW 1/4, Sec. 2 35 1/2 ac. in NE 1/4 NE 1/4, Sec. 2 38 1/2 ac. in SE 1/4 NE 1/4, Sec. 2 3 ac. in NW 1/4 SW 1/4, Sec. 32 160 ac. in NE 1/4 NE 1/4, Sec. 32 40 ac. in NE 1/4 NW 1/4, Sec. 32 40 ac. in NE 1/4 NW 1/4, Sec. 32 40 ac. in NE 1/4 NW 1/4, Sec. 32 13 1/2 ac. in NW 1/4 SW 1/4, Sec. 32 15 ac. in SE 1/4 SW 1/4, Sec. 32 11 ac. in SW 1/4 SE 1/4, Sec. 32 80 ac. in NE 1/4 SE 1/4, Sec. 32 5 1/2 ac. in SE 1/4 SE 1/4, Sec. 33 320 ac. in NE 1/4 NE 1/4, Sec. 33 80 ac. in NE 1/4 SW 1/4, Sec. 33 6 ac. in SW 1/4 SW 1/4, Sec. 33 33 ac. in SE 1/4 SW 1/4, Sec. 33 40 ac. in NW 1/4 SE 1/4, Sec. 33 30 ac. in NE 1/4 SE 1/4, Sec. 33 40 ac. in SW 1/4 SE 1/4, Sec. 33 30 ac. in SE 1/4 SE 1/4, Sec. 34 160 ac. in SW 1/4 SE 1/4, Sec. 34 25 ac. in NE 1/4 SE 1/4, Sec. 34 30 ac. in NW 1/4 SE 1/4, Sec. 34 80 ac. in SE 1/4 SE 1/4, Sec. 34 20 ac. in NE 1/4 SE 1/4, Sec. 34 20 ac. in SE 1/4 SE 1/4, Sec. 34 80 ac. in NE 1/4 NW 1/4, Sec. 34 40 ac. in SE 1/4 NW 1/4, Sec. 34 20 ac. in SW 1/4 NW 1/4, Sec. 34 80 ac. in NE 1/4 SW 1/4, Sec. 34 30 ac. in NW 1/4 SW 1/4, Sec. 34 40 ac. in SW 1/4 SW 1/4, Sec. 34 30 ac. in NE 1/4 SW 1/4, Sec. 34 40 ac. in NW 1/4 SW 1/4, Sec. 34 12 ac. in SW 1/4 SW 1/4, Sec. 35 13 1/2 ac. in NE 1/4 NE 1/4, Sec. 35 20 ac. in NW 1/4 NE 1/4, Sec. 35 35 ac. in SW 1/4 NE 1/4, Sec. 35 17 ac. in SE 1/4 NE 1/4, Sec. 35 20 ac. in SE 1/4 NW 1/4, Sec. 35 40 ac. in NE 1/4 SW 1/4, Sec. 35</p>	<p>5 1/2 acres in Section 32; the SE 1/4 NW 1/4; in the SE 1/4 SW 1/4; in the SE 1/4 SE 1/4; 6 acres in the SW 1/4 SE 1/4; of Section 34 the NW 1/4 SE 1/4; NE 1/4; 20 acres 1/2; 40 acres acres in the acres in the in the NE 1/4 NE 1/4; in the SE 1/4 NE 1/4; in the NW 1/4 SW 1/4; the SW 1/4 SE 1/4 a 1/2 and 6 1/2 acr res in the N 9 acres in th Section 25: tion 24: 40 23: 31 acre e 45 East of 3, Township 2 n the NE 1/4 NE 1/4; in the SE 1/4 NE 1/4; the NE 1/4 NW 1/4 a nge 45 East c</p> <p>Heaverne of Joseph, Oregon. 14 acres in the SE 1/4 NW 1/4 and 35 acres in 2 South, Range 45 East of Willamette n.</p>	<p>Lands owned by W. E. Rindson 20 ac. in NW 1/4 SW 1/4, Sec. 2 80 ac. in S 1/2 SW 1/4, Sec. 2 80 ac. in NE 1/4 SE 1/4, Sec. 2 40 ac. in SW 1/4 SE 1/4, Sec. 2 50 ac. in SE 1/4 SE 1/4, Sec. 26 160 ac. in NW 1/4 SE 1/4, Sec. 26 6 1/2 ac. in NW 1/4 SE 1/4, Sec. 36 17 ac. in NE 1/4 NE 1/4, Sec. 36 40 ac. in NW 1/4 NE 1/4, Sec. 36 37 1/2 ac. in SW 1/4 NE 1/4, Sec. 36 22 ac. in SE 1/4 NE 1/4, Sec. 36 39 ac. in NE 1/4 SE 1/4, Sec. 36 40 ac. in NW 1/4 SE 1/4, Sec. 25 80 ac. in S 1/2 SW 1/4, Sec. 25 40 ac. in SW 1/4 SW 1/4, Sec. 24 17 1/2 ac. in SE 1/4 SW 1/4, Sec. 24 40 ac. in NE 1/4 SE 1/4, Sec. 23 32 ac. in SE 1/4 SE 1/4, Sec. 23 31 ac. in SE 1/4 SE 1/4, Sec. 31 Tp. 2 S. R. 45 E. W. M. 3 ac. in NW 1/4 NW 1/4, Sec. 18 Tp. 2 S. R. 45 E. W. M. 40 ac. in NE 1/4 NE 1/4, Sec. 3 34 ac. in NW 1/4 NE 1/4, Sec. 3 16 ac. in SW 1/4 NE 1/4, Sec. 3 14 ac. in SE 1/4 NE 1/4, Sec. 3 11 ac. in NE 1/4 NW 1/4, Sec. 3 11 ac. in NE 1/4 NW 1/4, Sec. 2 37 1/2 ac. in NW 1/4 NW 1/4, Sec. 2 Tp. 3 S. R. 45 E. W. M., Wallowa County, Oregon.</p> <p>Lands owned by Elizabeth Heaverne, of Joseph, Ore. 13 ac. in SW 1/4 NE 1/4, Sec. 32 14 ac. in SE 1/4 NE 1/4, Sec. 32 35 ac. in NE 1/4 SW 1/4, Sec. 32 Tp. 2 S. R. 45 E. W. M., Wallowa County, Oregon.</p>
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483

48313

PDD: Lot 4 (NE NW) Sec 5 T35 R45E WM
Silver Lake Ditch - 900'S & 1700'E from the NW cor Sec 5

The following rights are supplemental, having additional rights from other sources: 40 acres in the SE¹SW¹ of Section 28, Township 2 South, Range 45 East of Willamette Meridian, supplemented by water from Citizens Ditch.

10 acres in the NE¹SE¹ of Section 34, Township 2 South, Range 45 East of Willamette Meridian, supplemented by water through the Hendricks Ditch from Prairie Creek/

29⁵ acres in the SE¹NE¹ and 20 acres in the NE¹SW¹ of Section 23, Township 2 South, Range 45 East of Willamette Meridian, supplemented by water from the Farmers Ditch.

6 acres in the NW¹NE¹ and 4 acres in the SW¹NE¹ of Section 3, Township 3 South, Range 45 East of Willamette Meridian, supplemented by waters from Prairie Creek/

Lands owned by N. E. Baudon and irrigated both from Farmers Ditch and Silver Lake Ditch: 36 acres in the NE¹SW¹; 40 acres in the NW¹SW¹; 36 acres in the SE¹NW¹; 40 acres in the SW¹NW¹; 38 acres in the NE¹NW¹ and 30 acres in the NE¹NW¹ of Section 24: 10 acres in the SE¹SW¹; 40 acres in the SW¹SW¹; 40 acres in the NW¹SW¹; 9 acres in the NE¹SW¹; 16 acres in the SE¹NW¹; 21⁵ acres in the SW¹NW¹; 16⁵ acres in the NW¹NW¹; 18 acres in the NE¹NW¹ and 6⁵ acres in the NE¹NE¹ of Section 13: 18⁵ acres in the NW¹SE¹; 18 acres in the SW¹SE¹; 37⁵ acres in the SE¹SW¹; 21 acres in the SW¹SW¹; 29⁵ acres in the NW¹SW¹; 40 acres in the NE¹SW¹; 5 acres in the NW¹NE¹; 18⁵ acres in the SW¹NE¹; 40 acres in the SE¹NW¹; 40 acres in the SW¹NW¹; 40 acres in the NW¹NW¹ and 40 acres in the NE¹NW¹ of Section 12: 1 acre in the SW¹SE¹; 28 acres in the SE¹SW¹; 37 acres in the SW¹SW¹; 35 acres in the NW¹SW¹; 12⁵ acres in the NE¹SW¹; 5 acres in the SE¹NW¹; 13 acres in the SW¹NW¹ and 3⁵ acres in the NW¹NW¹ of Section 1, Township 2 South, Range 45 East of Willamette Meridian, in Wallowa County, Oregon.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described.

WITNESS the seal and signature of the STATE WATER BOARD, affixed

this 2nd day of April, 1921.

STATE WATER BOARD

By PERCY A. CUPPER,
State Engineer, President.

(SEAL OF STATE WATER BOARD)

ATTEST:

R. W. POTTER.
Secretary.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 3157, Volume 4, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on June 19, 1978, approving transfer application No. 2813.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.