

2824

2824-110-11000000
340-11000000
Ontario, Oct. 22/14

STATUS OF APPLICATION

Change in Place of Use
 Date filed MAY 29 1973
 Date of hearing _____
 Place of hearing _____
 ✓ Date of order 2-20-76 Vol. 26, page 399
 Date for application of water 10-1-76
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page 48051

Survey
2-79

DESCRIPTION OF WATER RIGHT

Name of stream MALHEUR River & Warm Springs Reservoir
 Trib. of _____ County of MALHEUR
 Use Irrigation
 Quantity of water _____ No. of acres 155
 Name of ditch Nevada ditch
 Date of priority Feb. 14, 1916, Oct. 16, 1939
 In name of Warm Springs Irrigation District
 _____ Adjudication, Vol. _____, page _____
 App. No. 4752 Per. No. 4303 Cert. No. 18423
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>5/29/73</u>	<u>20.00</u>	<u>34072</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

See file 58537
included in proof for permit 4303

TO BE ENTERED WHEN CHECKED	INDEX CARDS:		Entered	Checked
✓	Name		<u>AW</u>	
✓	Stream		<u>AW</u>	
✓	Pt. of Div.			
✓	Calendar		<u>WH</u>	
CHECKED TO RECORDS:				
✓	Twp. & Rge.		<u>AW</u>	
	Decree-vault			
	Decree-safe			
	Cert. of W/R			
✓	Per. Folder (2)		<u>AW</u>	
	Chaindex			
	Cross Ref.			
	Power Claim			
	Abstracts			

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Malheur County

IN THE MATTER OF THE APPLICATION
OF GIRO UMEMOTO FOR THE APPROVAL
OF A CHANGE IN PLACE OF USE OF WATER
FROM MALHEUR RIVER AND WARMSPRINGS
RESERVOIR

ORDER APPROVING
TRANSFER NO. 2824

On May 29, 1973, Giro Umemoto filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from Malheur River and Warm Springs Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

Permit number 4303 issued to Warm Springs Irrigation District describes the appropriation of waters of Malheur River and Warm Springs Reservoir for the irrigation of, among other lands, 15.5 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 18 South, Range 47 East, W.M., with a date of priority of February 14, 1916. These lands are also included in permit number 18547 for supplemental irrigation from waste water with a date of priority of October 16, 1939. Proof to the satisfaction of the Water Resources Director of beneficial use of water for irrigation of the above described tract has been submitted.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 5.1 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11, 5.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, and 5.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, Township 18 South, Range 46 East, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

William E. Blackaby, contract seller of the lands herein described, and the County Supervisor of the Farmers Home Administration, mortgagee of the lands herein described, have submitted statements that they have no objections to the proposed change.

The lands involved are within the boundaries of the Warmsprings Irrigation District and the Board of Directors approved the proposed change in place of use at a meeting held March 5, 1973.

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 is approved and the water right hereinbefore described as appurtenant to 15.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 18 South, Range 47 East, W.M., with a date of priority of February 14, 1916, be severed therefrom and simultaneously and without loss of priority transferred to 5.1 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11, 5.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, and 5.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, Township 18 South, Range 46 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1976.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director of application of water to beneficial use, the lands shall be included in the certificates to be issued to the Warmsprings Irrigation District confirming rights under permits numbered 4303 and 18547.

Dated at Salem, Oregon, this 20th day of February, 1976.

/s/ JAMES E. SEXSON
Director