

2825

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 407  
 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 48  
 Name of ditch Gellerman-Froman Canal  
 Date of priority Feb. 14, 1916, Dec. 16, 1939  
 In name of Warm Springs Irrigation District  
 \_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
 App. No. 4752 18423 Per. No. 4303 18517 Cert. No. \_\_\_\_\_  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>5/29/73</u>	<u>20.00</u>	<u>34071</u>
<u>7/16/73</u>	<u>10.00</u>	<u>35562</u>
<u>7/16/73</u>	<u>40.00 P.O.N.</u>	<u>35563</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.
<u>2-19-76</u>	<u>\$50.00</u>	<u>275</u>
<i>(40.00 P.O.N. + 10.00 Ref. Fee)</i>		

REMARKS

*included in proof for 4303*

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
	<input checked="" type="checkbox"/> Name	<u>AW</u>	_____
	<input checked="" type="checkbox"/> Stream	<u>AW</u>	_____
	<input type="checkbox"/> Pt. of Div.	_____	_____
	<input checked="" type="checkbox"/> Calendar	<u>WH</u>	_____
	CHECKED TO RECORDS:		
	<input checked="" type="checkbox"/> Twp. & Rge.	<u>WH</u>	_____
	<input type="checkbox"/> Decree-vault	_____	_____
	<input type="checkbox"/> Decree-safe	_____	_____
	<input type="checkbox"/> Cert. of W/R	_____	_____
	<input checked="" type="checkbox"/> Per. Folder (2)	<u>WH</u>	_____
	<input type="checkbox"/> Chainindex	_____	_____
	<input type="checkbox"/> Cross Ref.	_____	_____
	<input type="checkbox"/> Power Claim	_____	_____
	<input type="checkbox"/> Abstracts	_____	_____



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Malheur County

IN THE MATTER OF THE APPLICATION OF )  
CLYDE G. RITTER FOR THE APPROVAL OF )  
A CHANGE IN PLACE OF USE OF WATER )  
FROM MALHEUR RIVER AND WARMSPRINGS )  
RESERVOIR )

ORDER APPROVING  
TRANSFER NO. 2825

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On May 29, 1973, Clyde G. Ritter 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, 4.8 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 30, Township 18 South, Range 45 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 land above described, proposes to transfer the water right therefrom, without loss of priority to 4.8 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 7, Township 19 South, Range 45 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.

The lands involved are within the boundaries of the Warm Springs Irrigation District and the Board of Directors approved the proposed change in place of use at a meeting held May 7, 1973.

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

NOW, THEREFORE, it hereby is ORDERED that the change in place of use of water is approved and the water right hereinbefore described as appurtenant to 4.8 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 30, Township 18 South, Range 45 East, W.M., with a date of priority of February 14, 1916, be severed therefrom and simultaneously and without loss of priority transferred to 4.8 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 7, Township 19 South, Range 45 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 Warm Springs Irrigation District confirming rights under permits numbered 4303 and 18547.

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

JAMES E. SEXSON  
Director