

3072 Norman Christian
Ironsides,
Oregon 97908

3072

STATUS OF APPLICATION

Change in place of use
Date filed 6-27-74
Date of hearing _____
Place of hearing _____
Date of order 3-17-76 Vol. 26, page 480
Date for application of water 10-1-77
Proof mailed _____
Proof received _____
Certificate issued APR 23 1979 Vol. 41, page 47837

DESCRIPTION OF WATER RIGHT

Name of stream Halloway Wells #1 + #2
Trib. of _____ County of Malheur
Use irrigation
Quantity of water _____ No. of acres _____
Name of ditch _____
Date of priority November 5, 1951
In name of Max Virgil Halloway
_____ Adjudication, Vol. _____, page _____
App. No. U-443 Per. No. U-414 Cert. No. 26369
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>6-27-74</u>	<u>25.00</u>	<u>41609</u>
TOTAL . . .		
<u>5-7-76</u>	<u>\$2 Cert. Fee</u>	<u>54913</u>

FEES REFUNDED

Date	Amount	Check No.

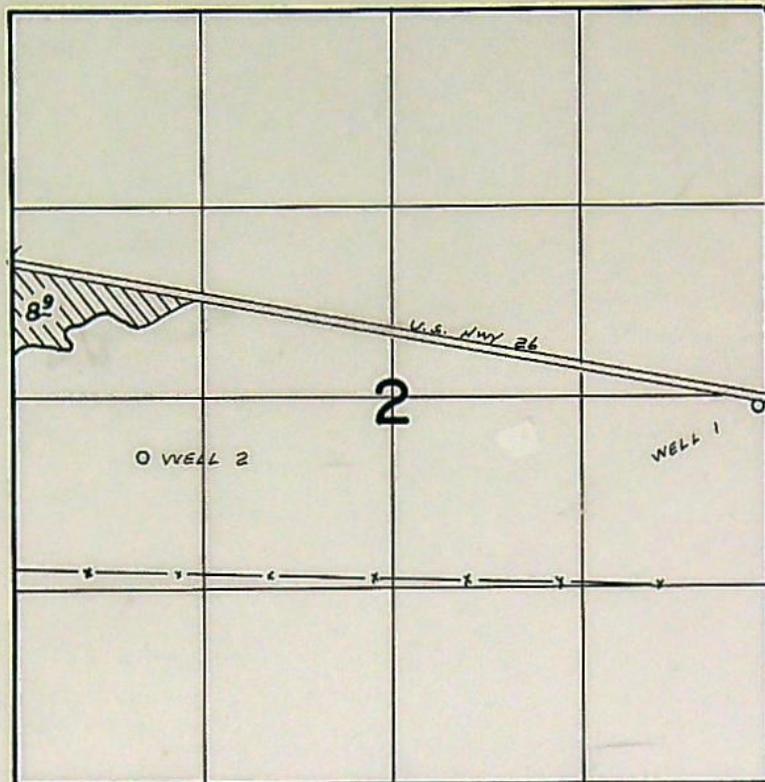
REMARKS

See U-443

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

593

T.15S. R.40E. W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 3072
Application No. Permit No.
IN NAME OF

.....NORMAN CHRISTENSEN.....

Surveyed JUN 23 1978, by L.H. NUNN

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This Is to Certify, That *Norman Christensen*
~~MAX-VIRGIL-HOLLOWAY~~

of ~~Ontario~~ *Ironside*, State of *Oregon*⁹⁷⁹⁰⁸, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of 2 wells a tributary of *Malheur River* for the purpose of irrigation of 183.0 acres,

under Permit No. *U-414* of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from *November 5, 1951*,

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 2.35 cubic feet per second,

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ & NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, Township 15 South, Range 40 East, W.M.; 2730' S. and 70' W.; and 3060' S. and 4380' W. of NE cor., Sec. 2,

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

8.0	8.6	acres	SW $\frac{1}{4}$	NE $\frac{1}{4}$
1.5	2.0	acres	SE $\frac{1}{4}$	ND $\frac{1}{4}$
23.4	14.8	acres	SW $\frac{1}{4}$	NW $\frac{1}{4}$
14.8	15.4	acres	SE $\frac{1}{4}$	NW $\frac{1}{4}$
34.0	36.4	acres	NE $\frac{1}{4}$	SW $\frac{1}{4}$
31.5	35.6	acres	NW $\frac{1}{4}$	SW $\frac{1}{4}$
36.7	37.4	acres	NW $\frac{1}{4}$	SE $\frac{1}{4}$
35.1	37.8	acres	NE $\frac{1}{4}$	SE $\frac{1}{4}$

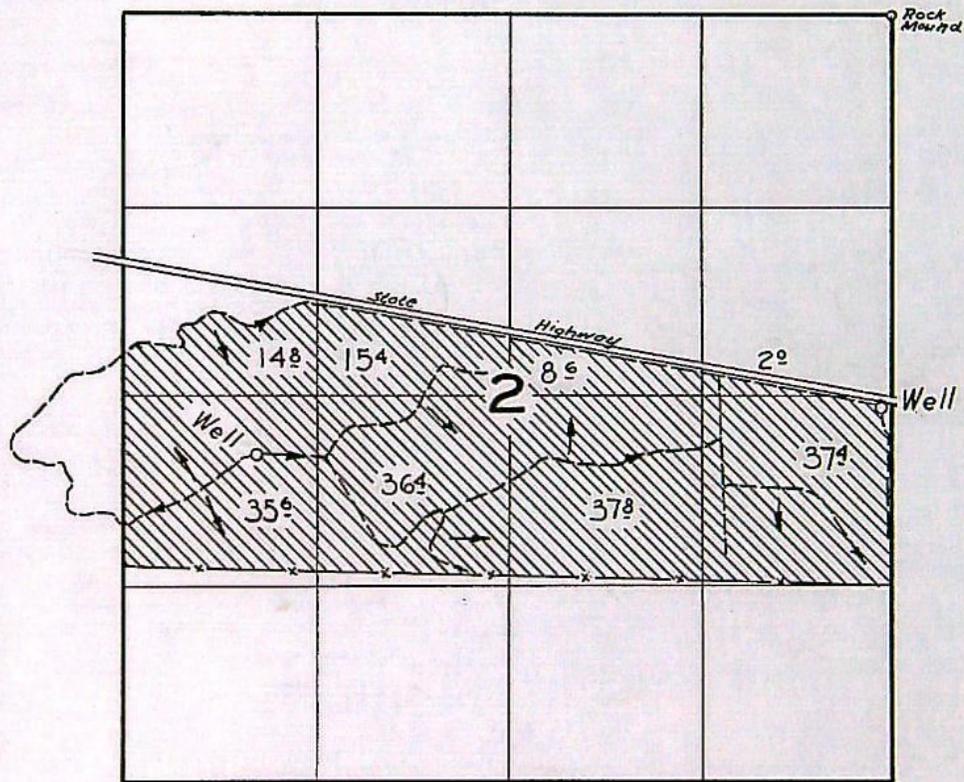
Section 2

Township 15 South, Range 40 East, W.M.

This certificate describes that portion of the prior certificate recorded at page 26369 Vol. 18, SRWRE, NOT modified by the provisions of an order of the WRD entered March 17, 1976 and is issued to confirm a change in place of use approved by the same order.

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

T.15S. R.40E.W.M.



FINAL PROOF SURVEY
UNDER

Application No. U-443 Permit No. U-414
IN NAME OF

MAX VIRGIL HOLLOWAY

Surveyed 15 Oct. 1958, by C.O. Bartels

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Malheur County

IN THE MATTER OF THE APPLICATION)
OF NORMAN CHRISTENSEN FOR THE)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM GROUND WATER)

ORDER APPROVING
TRANSFER NO. 3072

On June 27, 1974, Norman Christensen filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from ground water, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Max Virgil Holloway and recorded at Page 26369, Volume 18, State Record of Water Right Certificates, confirms a right to the use of not to exceed 2.35 cubic feet per second of water from Holloway Wells #1 and #2 for the irrigation of, among other lands, 0.6 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.5 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 0.3 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 0.6 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 2.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 1.1 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 2.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, and 0.7 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, Township 15 South, Range 40 East, W.M., with a date of priority of November 5, 1951. These lands are irrigated by means of Well #1 located 2730 feet South and 70 feet West from the Northeast corner of Section 2, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, Township 15 South, Range 40 East, and Well #2 located 3060 feet South and 4380 feet West from the Northeast corner of Section 2, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, Township 15 South, Range 40 East, W.M.

The applicant herein, owner of the land above described, proposes to transfer the water right therefrom, without loss of priority, to 8.9 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, Township 15 South, Range 40 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.

Mr. Frank W. Elfering, Watermaster of District No. 9, has filed a statement to the effect that the proposed change in place of use of water may be made without injury to existing rights.

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 0.6 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.5 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 0.3 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 0.6 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 2.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 1.1 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 2.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 0.7 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, Township 15 South, Range 40 East, W.M., with a date of priority of November 5, 1951, be severed therefrom and simultaneously and without loss of priority transferred to 8.9 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, Township 15 South, Range 40 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1977.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director of beneficial use of water as herein provided, the certificate of water right heretofore issued to Max Virgil Holloway and recorded at Page 26369, Volume 18, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued to Norman Christensen confirming the right to the extent to which the water has been applied beneficially, including the balance of the right not involved in this proceeding.

Dated at Salem, Oregon, this 17th day of March, 1976.

/s/ JAMES E. SEXSON
Director