

Name Thayer Cattle Co.
 By Kenneth E. Thayer, Sec.
 Address Route 2 Box 200
Ontario, OR 97914

3876

DESCRIPTION OF WATER RIGHT

Name of stream Malheur River
 Trib. of _____ County of Malheur
 Use Irr.
 Quantity of water _____ No. of acres 282
 Name of ditch Brosnan
 Date of priority Aug. 25, 1902
 In name of Thos. J. Brosnan
Malheur Riv. Adjudication, Vol. _____, page 261
 App. No. _____ Per. No. _____ Cert. No. 6867
 Certificate cancelled _____
 Notation made on record by _____

Change in POD
 Date filed 2-7-78
 Date of hearing Dec. 19, 1978
 Place of hearing Ontario
 Date of order 12-22-78 Vol. 31, page 530
 Date for application of water 10-1-80
 Proof mailed _____
 Proof received _____
 Certificate issued Jan 1979 Vol. _____, page 47186
93628

REMARKS

See T-3672

Marguerite Decker

CARD FOR C NOV 4 1980

W.R.I.S.	
Assembled	<u>5-3-85</u> by <u>SK</u>
Entered	_____ by _____
Verified	_____ by _____

FEES PAID

Date	Amount	Receipt No.
<u>2-7-78</u>	<u>\$106.60</u>	<u>994</u>
TOTAL . . .		
	Cert. Fee	

Dr. Argus Observer \$37.07 pd 12/10/78 ck #2975

FEES REFUNDED

Date	Amount	Check No.
<u>12-14-78</u>	<u>34.57</u>	<u>2974</u>

EX 20 -
 POD 15 -
 POD 37.07
72.07

TO BE ENTERED WHERE CHECKED	INDEX CARDS	Filed	Checked
<input checked="" type="checkbox"/>	Name	<u>lg</u>	_____
<input checked="" type="checkbox"/>	Stream	<u>lg</u>	_____
<input checked="" type="checkbox"/>	Pl. of Div.	<u>lg</u>	_____
<input checked="" type="checkbox"/>	Calendar	<u>lg</u>	_____
<input checked="" type="checkbox"/>	CHECKED TO INDEX	<u>lg</u>	_____
<input checked="" type="checkbox"/>	Typ. & Rep.	<u>lg</u>	_____
<input checked="" type="checkbox"/>	Deed-visit	<u>lg</u>	_____
<input checked="" type="checkbox"/>	Deed-visit	<u>lg</u>	_____
<input checked="" type="checkbox"/>	Cert. of W.R.	<u>lg</u>	_____
<input checked="" type="checkbox"/>	Per. Folder	_____	_____
<input checked="" type="checkbox"/>	Chaindex	_____	_____
<input checked="" type="checkbox"/>	Cross Ref.	_____	_____
<input checked="" type="checkbox"/>	Power Claim	_____	_____
<input checked="" type="checkbox"/>	Abstracts	<u>lg</u>	_____

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THAYER CATTLE CO.
KENNETH THAYER
1491 HORNING WAY
ONTARIO OR 97914

confirms the right to use the waters of MALHEUR RIVER, for IRRIGATION of 282.0 ACRES, DOMESTIC, AND STOCK.

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 State Engineer in Volume 8, at Page 228. The date of priority is August 25, 1902.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.5 acre feet per acre in any 30-day period prior to June 1st, 1 acre foot per acre in any 30-day period after June 1st, of each year, or 3 acre feet per acre during any season, diverted at a rate not to exceed 1/20 of a cubic foot per second per acre.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
18 S	46 E	WM	2	SE NE	BROSNAN DITCH - 250 FEET NORTH AND 225 FEET WEST FROM E 1/4 CORNER, SECTION 2
17 S	47 E	WM	28	SW SW	ADDITIONAL - 150 FEET NORTH AND 17 FEET EAST FROM SW CORNER, SECTION 28

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
17 S	47 E	WM	28	SW NW		38.0
17 S	47 E	WM	28	SE NW	2	23.0
17 S	47 E	WM	28	NE SW	3	14.0
17 S	47 E	WM	28	NW SW		38.0
17 S	47 E	WM	28	SW SW		30.0
17 S	47 E	WM	29	SW NE		25.0
17 S	47 E	WM	29	SE NE		40.0
17 S	47 E	WM	29	NE SE		33.0
17 S	47 E	WM	29	NW SE		37.0
17 S	47 E	WM	29	SE SE		4.0

The quantity of water at the new point of diversion, together with that at the old point of diversion, shall not exceed the quantity of water available at the old point of diversion.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

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 water user is entitled;

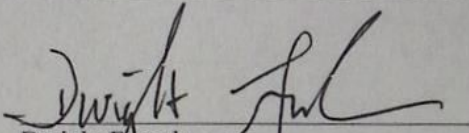
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

The right to use 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 the decree.

This certificate is issued to confirm a change an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered December 22, 1978, at Special Order Volume 31, Page 530, approving Transfer Application T-3876, and together with Certificate 47186 and 48289, supercedes Certificate 6867, State record of Water Right Certificates.

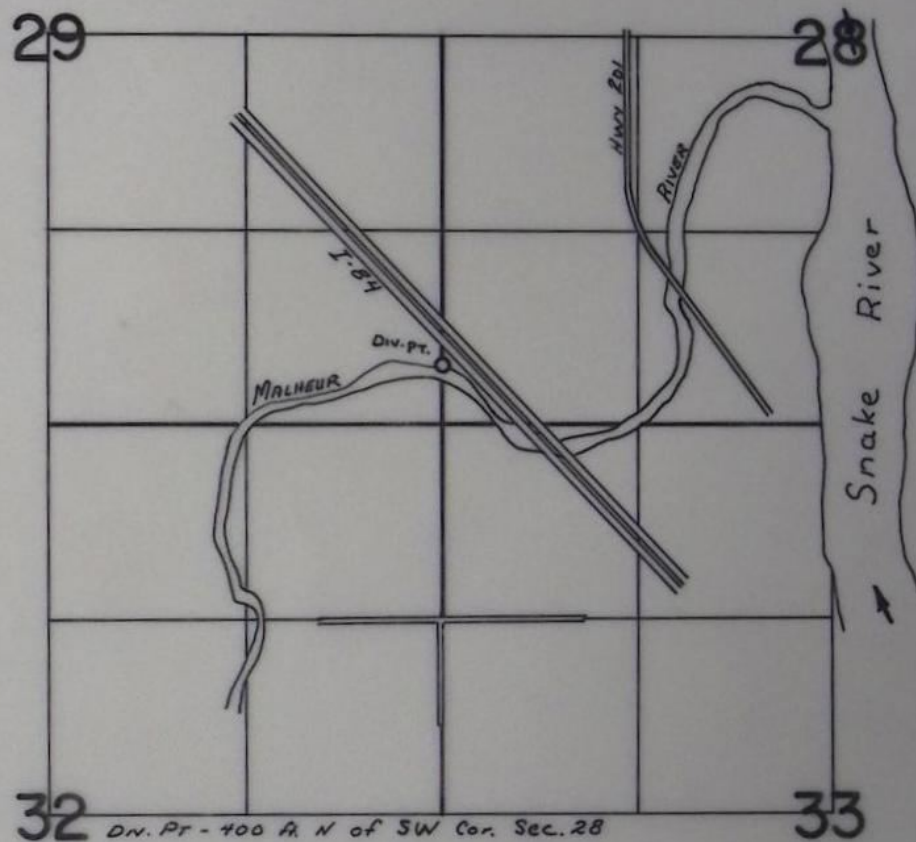
FEB 23 2018

Issued _____



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

T.17S.,R.47E.,W.M.



FINAL PROOF SURVEY
UNDER

Transfer No 3876
Application No. Permit No.
IN NAME OF

THAYER CATTLE CO.

Surveyed Aug..19... 19.83., by ..L...M...TOLL.....

338
48289

1

STATE OF OREGON

47186
48289

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This is to Certify, That THOS. J. BROSNAN
of Ontario, State of Oregon has a right to the use of
the waters of Malheur River
for the purpose of Irrigation, domestic and stock

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 8, at page 229; that the priority
of the right thereby confirmed dates from Aug. 25, 1902

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 foot per acre
in any 30-day period prior to June 1st, 1 acre foot per acre in any 30-day period
after June 1st, of each year, or 3 acre feet per acre during any season, diverted
at a rate not to exceed one-twentieth of a cubic foot per second per acre;
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:

40 acres in the SW 1/4, 23 acres in the SE 1/4, 21 acres in the NW 1/4, 40 acres
in the NW 1/4 and 30 acres in the SW 1/4, Section 29, 55 acres in the SW 1/4, 40
acres in the SE 1/4, 40 acres in the NE 1/4, 40 acres in the NW 1/4 and 29 acres
in the SE 1/4, Section 29, T. 17 S. R. 47 E. W. M., being a total of 338 acres.

T-3672 Δ 20 Acres

338
-20
318

RR (not issued)

ok

20 Acres Confirmed Oct 48289

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 irrigation purposes is restricted to the lands or place
of use herein described.

WITNESS the signature of the State Engineer,
affixed this 1st day
of February, 1927.

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 7, page 6067

T # 3672 T # 3876

2

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
MALHEUR COUNTY

IN THE MATTER OF THE APPLICATION)
OF MARGUERITE DECKER FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM MALHEUR RIVER)

ORDER APPROVING
TRANSFER NO. 3672

On May 13, 1977, an application was filed in the office of the Water Resources Director by Marguerite Decker for approval of a change in point of diversion from Malheur River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 7046, Volume 7, State Record of Water Right Certificates, in the name of Winter and Trousdale, describes a right which includes the use of water from Malheur River for irrigation of 40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29; 36.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 22.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 38.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 17 South, Range 47 East, W.M., with a date of priority of 1909.

The certificate recorded at page 6867, Volume 7, State Record of Water Right Certificates, in the name of Thos. J. Brosnan, describes a right which includes the use of water from Malheur River for irrigation of 29.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 17 South, Range 47 East, W.M., with a date of priority of August 25, 1902.

Water for the said rights is diverted, through the Brosnan Ditch, from a point located 170 feet North and 160 feet West from the East Quarter Corner of Section 2, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, Township 18 South, Range 46 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located South 7 degrees 47 minutes East, 1304 feet from the Northwest Corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 17 South, Range 47 East, W.M.

Notice of the application, pursuant to ORS 540.510, was published in The Malheur Enterprise, a newspaper printed and having general circulation in Malheur County, Oregon, for a period of three weeks in the issues of October 26; November 2 and 9, 1977.

Mr. Frank Elfering, 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 rights.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment 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;

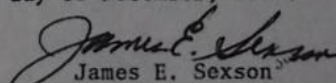
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that 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 Thos J. Brosnan and recorded at page 6867, Volume 7, 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.

It is FURTHER ORDERED that 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 the certificate of water right heretofore issued to Winter and Trousdale and recorded at page 7046, Volume 7, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right be issued to the applicant herein.

Dated at Salem, Oregon, this 20th day of December, 1977.


James E. Sexson
Director

3

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF THE APPLICATION)
OF MARGUERITE DECKER FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM MALHEUR RIVER)

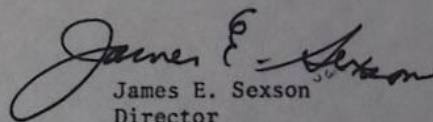
ORDER AMENDING
ORDER APPROVING
TRANSFER NO. 3672

The administrative order of the Water Resources Director entered December 20, 1977, approving water right transfer application No. 3672, in the name of Marguerite Decker, was in error in listing in paragraph three the number of acres owned by the applicant to which the water right described in the certificate recorded at page 6867, Volume 7, State Record of Water Right Certificates, is appurtenant. The order listed 29.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 17 South, Range 47 East, W.M., when it should have listed "... 20.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 17 South, Range 47 East, W.M."

NOW, THEREFORE, it hereby is ORDERED that paragraph three of the administrative order of the Water Resources Director entered December 20, 1977, approving water right transfer application No. 3672, in the name of Marguerite Decker, be, and the same hereby is, amended to read:

"The certificate recorded at page 6867, Volume 7, State Record of Water Right Certificates, in the name of Thos. J. Brosnan, describes a right which includes the use of water from Malheur River for irrigation of 20.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 17 South, Range 47 East, W.M., with a date of priority of August 25, 1902."

Dated at Salem, Oregon this 18th day of May, 1978.


James E. Sexson
Director

(4)

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

MARGUERITE DECKER

of Rt. 2, Box 734, Ontario, State of Oregon, 97914, has
a right to the use of the waters of Malheur River

a tributary of Snake River for the purpose of
irrigation of 20.0 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 WATER RESOURCES DIRECTOR, in Volume 8, at page 228; that the priority of the
right thereby confirmed dates from August 25, 1902

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 $1\frac{1}{2}$ acre feet per acre
in any 30 day period prior to June 1st, 1 acre foot per acre in any 30 day
period after June 1st, of each year, or 3 acre feet per acre during any season,
diverted at a rate not to exceed one-twentieth of a cubic foot per second per
acre;*

The point of diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T. 17 S., R. 47 E., W. M.,
1300 feet South and 1450 feet East from the NW Corner, Section 32

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

20.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 29
T. 17 S., R. 47 E., W. M.

This certificate is issued to confirm a change in point of diversion approved
by an order of the Water Resources Director entered December 20, 1977 and
together with certificate 47186 and transfer application No. 3876 supersedes
certificate of water right recorded at Page 6867, Volume 7, State Record of
Water Right Certificates.

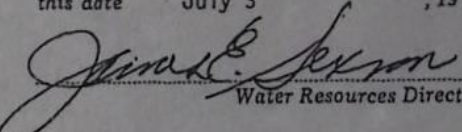
The issuance of this superseding certificate does not confirm the status of
the water right in reference to ORS 540.610.

* if available at the original point of diversion, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, T. 18 S.,
R. 46 E., W. M., Brosnan Ditch-170 feet North and 160 feet West from the E $\frac{1}{4}$
Corner, Section 2.

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 July 3, 1979.


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 41, page 48289

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF THE APPLICATION)
OF THAYER CATTLE COMPANY FOR AP-)
PROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 3876

On February 7, 1978, an application was filed in the office of the Water Resources Director by Thayer Cattle Company for approval of an additional point of diversion of water from Malheur River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 6867, Volume 7, State Record of Water Right Certificates, in the name of Thos. J. Brosnan, describes a right which includes the use of water from Malheur River for irrigation of a certain 38.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 23.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 14.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 38.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 30.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28; 25.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 37.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 33.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 4.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 17 South, Range 47 East, W.M., with a date of priority of August 25, 1902.

Water for the said right is diverted, through the Brosnan Ditch, from a point located 250 feet North and 225 feet West from the East Quarter Corner of Section 2, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, Township 18 South, Range 46 East, W.M.

The applicant herein, owner of the lands above described, proposes to establish an additional point of diversion, without loss of priority, at a point located 150 feet North and 17 feet East from the Southwest Corner of Section 28, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, Township 17 South, Range 47 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Daily Argus Observer, a newspaper printed and having general circulation in Malheur County, Oregon, for a period of three weeks in the issues of October 27, November 3 and 10, 1978.

Mr. Frank Elfering, Watermaster, has filed a statement to the effect that the proposed additional point of diversion may be made without injury to existing rights.

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

Y31,9530

NOW, THEREFORE, it hereby is ORDERED that the requested additional 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, together with that diverted at the old 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 effective when in the judgment 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 the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1980.

It is FURTHER ORDERED that the portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered December 20, 1977, approving transfer application No. 3672; 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 22nd day of December, 1978.

James E. Sexson
Director

By *Chris Wheeler*
Deputy

Affidavit of Publication

STATE OF OREGON, }
COUNTY OF MALHEUR } ss.

Notice of Water Right Transfer

TITLE OF PUBLICATION

SPONSOR OR PLAINTIFF

Walter Resources Dept.

PLAINTIFF OR LEGAL AGENT

I, Francis R. McLean, being first duly sworn, depose
and say that I am the Publisher of "The Daily
Argus-Observer," a newspaper of general circulation as defined by
Sections 1-509, 1-510, Oregon Code, printed and published at the
City of Ontario in the aforesaid County and State; that Notice of
Water Right Transfer

ok a printed copy of which is hereto annexed, was published in the
entire issue of said newspaper for 3 consecutive weeks in the
following issues, to-wit: Oct. 27, Nov. 3, 10

, A. D. 19 78, being the dates
of the issues in which same was published.

Francis R. McLean
Subscribed and sworn to before me this 13th day of
November, A. D. 19 78.

Violet L. Fields
Notary Public for the State of Oregon

My Commission Expires August 23, 1981

STATEMENT

Daily Argus Observer
ONTARIO, OREGON

Number of Lines 84

Number of Insertions 3

84 Lines @ 17 2/3¢ \$ 14.83

2 x 84 Lines @ 13 1/4¢ \$ 22.26

TOTAL COST \$ 37.09
WILL BE \$

NOTICE OF
RIGHT TRANSFER
APPLICATION

Notice is given
an application has
in the office of
Resources Dept.
Thayer Cattle
approval of
point of div.
Malheur River
the provision
to 540.530.

The certifi-
cate page 6867
Record
Certified
True

66
attest
NO

RECEIVED

NOV 17 1978

WATER RESOURCES DEPT.
SALEM, OREGON



Nº 864

Affidavit of Publication

STATE OF OREGON, }
COUNTY OF MALHEUR } ss.

Notice of Water Right Transfer

TITLE OF PUBLICATION

SPONSOR OR PLAINTIFF

Walter Resources Dept.

PLAINTIFF OR LEGAL AGENT

I, Francis R. McLean, being first duly sworn, depose
and say that I am the Publisher of "The Daily
Argus-Observer," a newspaper of general circulation as defined by
Sections 1-509, 1-510, Oregon Code, printed and published at the
City of Ontario in the aforesaid County and State; that Notice of
Water Right Transfer

a printed copy of which is hereto annexed, was published in the
entire issue of said newspaper for 3 consecutive weeks in the
following issues, to-wit: Oct. 27, Nov. 3, 10

13th, A. D. 19 78, being the dates
of the issues in which same was published.

Subscribed and sworn to before me this 13th day of
November, A. D. 19 78.

Violet L. Fields
Notary Public for the State of Oregon

My Commission Expires August 23, 1981

STATEMENT

Daily Argus Observer

ONTARIO, OREGON

Number of Lines 84

Number of Insertions 3

84 Lines @ 17 2/3¢ . . . \$ 14.83

2 x 84 Lines @ 13 1/2¢ . . . \$ 22.26

TOTAL COST 37.09
WILL BE \$

NOTICE OF WATER RIGHT TRANSFER AP- PLICATION NO. 3876

Notice is given hereby that
an application has been filed
in the office of the Water
Resources Director by
Thayer Cattle Company for
approval of an additional
point of diversion from
Malheur River, pursuant to
the provisions of ORS 540.510
to 540.530.

The certificate recorded at
page 6867, Volume 7, State
Record of Water Right
Certificates, in the name of
Thos. J. Brosnan, describes
a right which includes the
use of water from Malheur
River for irrigation of a
certain 38.0 ac in SW 1/4
NW 1/4, 23.0 ac in SE 1/4 NW 1/4,
14.0 ac in NE 1/4 SW 1/4, 38.0 ac
in NW 1/4 SW 1/4, 30.0 ac in
SW 1/4 SW 1/4 of Sec. 28; 25.0 ac
in SW 1/4 NE 1/4, 40.0 ac in SE 1/4
NE 1/4, 37.0 ac in NW 1/4 SE 1/4,
33.0 ac in NE 1/4 SE 1/4 and 4.0
ac in SE 1/4 SE 1/4 of Sec. 29, T
17S, R 47E, WM, with a date
of priority of Aug. 25, 1902.

Water for the said right is
diverted, through the
Brosnan Ditch, from a point
located 250 ft. N. & 225 ft. W.
from the E 1/4 Corner of Sec. 2,
being within the SE 1/4 NE 1/4
of Sec. 2, T 18S. R 46E, WM.

The applicant herein,
owner of the lands above
described, proposes to
establish an additional point
of diversion, without loss of
priority, at a point located
150 ft. N & 17 ft E from the
SW Corner of Sec. 28, being
within the SW 1/4 SW 1/4 of Sec.
28, T 17S, R 47E, WM.

All persons interested are
notified hereby that a
hearing will be held at the
county courthouse at Vale,
Oregon, on December 19,
1978, at 9:30 a.m. All ob-
jections 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
Thayer Cattle Co., Rt. 2, Box
200, Ontario, OR 97914; and
one copy filed with the Water
Resources Department
Salem, OR 97310, together
with a \$10 filing fee, at least
10 days prior to the date set
for hearing, IF NO OB-
JECTIONS ARE FILED.
THE APPLICATION MAY
BE APPROVED BY THE
WATER RESOURCES
DIRECTOR WITHOUT A
HEARING. Administrative
rules pertaining to the filing
of a protest will be furnished
by the Water Resources
Department upon request.

Dated at Salem, Oregon
this 23rd day of October, 1978

James E. Sexson
Director

L-864 Oct. 27, Nov. 3, 10