

Elmer D. Hill  
Willow Creek Rd.  
Ironsides, Or 97908  
STATUS OF APPLICATION

3663  
DESCRIPTION OF WATER RIGHT

FEES PAID

Change ~~in~~ Add'l P.O.D.  
Date filed 5-9-77  
Date of hearing June 6, 1978  
Place of hearing Vale  
Date of order 6-19-78 Vol. 30, page 746  
Date for application of water 10-1-79  
Proof mailed  
Proof received  
Certificate issued AUG 10 1978 38, page 46220

Name of stream Willow Creek  
Trib. of County of Malheur  
Use irrigation  
Quantity of water No. of acres  
Name of ditch North Bessner Ditches  
Date of priority  
In name of Willow Creek Adjudication, Vol. 3, page 301  
App. No. Per. No. Cert. No. 22410  
Certificate cancelled  
Notation made on record by

Date	Amount	Receipt No.
5-9-77	\$ 43.80	60326
10-3-77	50.00	64278
TOTAL . . .		
5-10-78	\$2 Cert. Fee	Trans. by 64278
The Malheur Enterprise \$37.24 paid 5/10/78 ck# 2199		

FEES REFUNDED

Date	Amount	Check No.
5-10-78	\$ 9.56	2198
Exam 20 - Refund 956 POD 15 - Cert Fee 2.00 POH 37.24 74.54		

REMARKS

Right Lost Sp. Or. V. 39 p. 148

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/>	Name	lgj 526
<input checked="" type="checkbox"/>	Stream	lgj 526
<input checked="" type="checkbox"/>	Pt. of Div.	lgj
<input checked="" type="checkbox"/>	Calendar	lgj
<input checked="" type="checkbox"/>	Checked to Record	lgj 526
<input checked="" type="checkbox"/>	Twp. & Rce.	lgj 526
<input checked="" type="checkbox"/>	Decree-vault	lgj 526
<input checked="" type="checkbox"/>	Decree-safe	lgj 526
<input checked="" type="checkbox"/>	Cert. of W/R	lgj 526
<input type="checkbox"/>	Per. Folder	
<input type="checkbox"/>	Chaindex	
<input type="checkbox"/>	Cross Ref.	
<input checked="" type="checkbox"/>	Power Claim	lgj
<input checked="" type="checkbox"/>	Abstracts	



STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROSINA BRONSON  
MALHEUR, OR 97910

Has a right to the use of the waters of WILLOW CREEK, a tributary of MALHEUR RIVER, for the purpose of the IRRIGATION of 75.5 acres of land, domestic and stock use.

This 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 3, at page 258; that the priority of the right thereby confirmed dates from 1868.

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 a rate of flow of 2.75 second feet from April 1st to May 1st and 1.38 second feet from May 1st to September 1st of each year, or the equivalent in case of rotation, the total quantity diverted during each irrigation season not to exceed 322.5 acre feet.

A description of the lands irrigated under such right, and to which this right is appurtenant is as follows:

IRRIGATION, LIVESTOCK AND DOMESTIC					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	40 E	WM	1	NE NE	27.0
14 S	40 E	WM	1	NW NE	11.0
14 S	40 E	WM	1	SW NE	22.0
14 S	40 E	WM	1	SE NE	8.5
14 S	40 E	WM	1	SE NW	7.0
Total					75.5

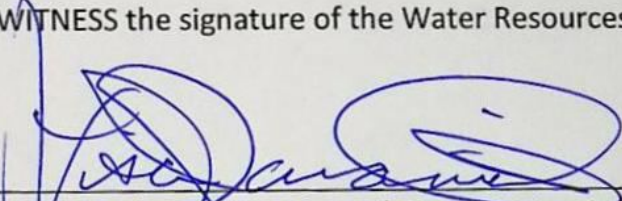
Note: This certificate of Water Right is issued to confirm the right described above in accordance with an order of the Circuit Court of the State of Oregon for Malheur County, entered August 30, 1956, to correct and supercede that certain Water Right Certificate heretofore issued in the name of Alice Williams and recorded in State Record of Water Right Certificates, Volume 2, Page 1625.

This certificate is issued in accordance with OAR 690-380-6010 to describe the water right for a non-completed change in additional point of diversion approved by of an order of the Water Resources Director entered JAN 23 2025, at Special Order Volume 133, Page ~~742~~ and together with Certificate 46220, supersedes Certificate 22410, State Record of Water Right Certificates.

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.

The right to the use of the 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 said decree.

WITNESS the signature of the Water Resources Director, affixed JAN 23 2025.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
IVAN GALL, DIRECTOR  
Oregon Water Resources Department



**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Transfer Application )  
T-3663, Malheur County )

FINAL ORDER REVERTING AN  
ADDITIONAL POINT OF DIVERSION

**Authority**

OAR 690-380-6010(6) provides that a point of diversion or appropriation shall revert to the last authorized point of diversion or appropriation if the changes authorized under a transfer are not completed.

**Applicant**

ELMER D. HILL  
WILLOW CREEK RD.  
IRONSIDE, OR 97908

**Findings of Fact**

1. On May 9, 1977, Elmer D. Hill filed an application for an additional point of diversion under Certificate 22410. The Department assigned the application number T-3663.
2. On June 19, 1978, the Water Resources Department issued an order approving the proposed additional point of diversion. The order was recorded in Special Order Volume 30, Pages 746 and 747.
3. On September 19, 1985, Larry Toll, Water Right Examiner, notified the Department that the change authorized under T-3663 would not be completed and requested that the additional point of diversion revert back to the original point of diversion.
4. On December 12, 1985, the Department issued a Final Order approving a Loss of Right under Transfer Application T-3663, due to the applicant failing to make proof to the satisfaction of the Department that the proposed change was accomplished within the provisions of the order.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or 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.



5. Pursuant to OAR 690-380-6010(3), non-completion of a change in point of diversion or appropriation does not forfeit the water use subject to transfer.

**Conclusion of Law:**

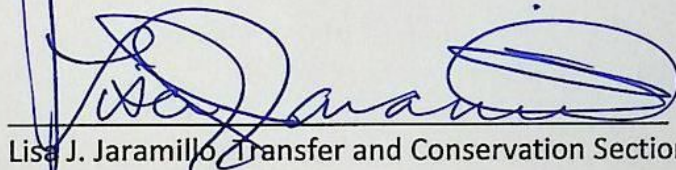
The reversion of the additional point of diversion authorized under Transfer Application T-3663 to the point of diversion authorized under the water right prior to Transfer Application T-3663 is consistent with OAR 690-380-6010(6). A superseding certificate for the right affected by the transfer shall be issued.

**Now, therefore, it is ORDERED:**

1. The additional point of diversion authorized under Transfer Application T-3663 for the right described by Certificate 22410 is reverted to the point of diversion authorized under the water right prior to the transfer.
2. A superseding certificate for that portion of Certificate 22410 approved for a change in additional point of diversion by Transfer Application T-3663 shall be issued to confirm that portion of the right.
3. All other terms and conditions of Special Order Volume 30, Pages 746 and 747 remain unchanged.

Dated in Salem, Oregon on

**JAN 23 2025**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
IVAN GALL, DIRECTOR  
Oregon Water Resources Department

*Mailing date:*

**JAN 24 2025**



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF THE TRANSFER  
APPLICATION 3663 IN THE  
NAME OF ELMER D. HILL

)  
)  
)

LOSS OF RIGHT

Transfer Application 3663, in the name of Elmer D. Hill, proposed a change in point of diversion to allow an additional point of diversion of water from Willow Creek under a certain right with a priority date of 1868, for irrigation of a certain 27.0 acres in NE 1/4 NE 1/4, 11.0 acres in NW 1/4 NE 1/4, 22.0 acres in SW 1/4 NE 1/4, 8.5 acres in SE 1/4 NE 1/4 and 7.0 acres in SE 1/4 NW 1/4, Section 1, Township 14 South, Range 40 East, WM.

The proposed additional point of diversion was to be located South 29 degrees 16 minutes West, 3875 feet from the East Quarter Corner of Section 36, Township 13 South, Range 40 East, WM, being within the NW 1/4 NE 1/4 of Section 1, Township 14 South, Range 40 East, WM.

The order of the Water Resources Director, entered June 19, 1978, approving Transfer Application 3663, provided: "...that said water so transferred shall be applied to beneficial use on or before October 1, 1979."

The applicant has failed to make proof to the satisfaction of the Water Resources Director that the proposed change was accomplished within the provisions of the order, therefore, the right to use said additional points of diversion has been lost.

The right to divert water from the original points of diversion, located 1) South 34 degrees 25 minutes West, 6289 feet; and 2) South 33 degrees 50 minutes West, 5369 feet, both from the East Quarter Corner of Section 36, Township 13 South, Range 40 East, WM, and both being within the NW 1/4 NE 1/4 of Section 1, Township 14 South, Range 40 East, WM, is not affected by this order.

Dated at Salem, Oregon this 12th day of December, 1985.

*William H. Young*  
WILLIAM H. YOUNG  
Director

0337/d  
1534D



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF THE APPLICATION )  
OF ELMER D. HILL FOR APPROVAL OF )  
AN ADDITIONAL POINT OF DIVERSION )  
OF WATER FROM WILLOW CREEK )  
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ORDER APPROVING  
TRANSFER NO. 3663

On May 9, 1977, an application was filed in the office of the Water Resources Director by Elmer D. Hill for approval of an additional point of diversion from Willow Creek, pursuant to the provisions of ORS 540.510 to 540.530.

As modified in accord with the provisions of the order of the State Engineer, entered on February 19, 1957, approving transfer application No. B-89, the right described by the certificate issued to Rosina Bronson and recorded at page 22410, Volume 16, State Record of Water Right Certificates, exists for the appropriation of water from Willow Creek, under a priority date of 1868, for beneficial use including the irrigation of a certain 27.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 11.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 22.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 8.5 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 7.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 1, Township 14 South, Range 40 East, W.M.

Water for the said right is diverted from two points located (1) South 34 degrees 25 minutes West, 6289 feet; and (2) South 33 degrees 50 minutes West, 5369 feet, from the East Quarter Corner of Section 36, Township 13 South, Range 40 East, W.M., being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 1.

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 South 29 degrees 16 minutes West, 3875 feet from the East Quarter Corner of Section 36, Township 13 South, Range 40 East, W.M., being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 1, for irrigation of the above described lands.

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 April 12, 19 and 26, 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.

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 points of diversion, shall not exceed the quantity of water available at the old points 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:

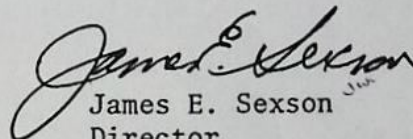
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the construction work shall be completed and the additional point of diversion of water made on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Rosina Bronson and recorded at page 22410, Volume 16, 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 MALHEUR

RECEIVED

APR 4 1978

WATER RESOURCES DEPT.  
SALEM, OREGON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That ROSINA BRONSON

of Malheur, State of Oregon, has a right to the use of  
the waters of Willow Creek, a tributary of Malheur River

for the purpose of the irrigation of ~~108.5~~<sup>33.0</sup> 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 Malheur County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 3, at page 258; that the priority of the right thereby confirmed dates from 1868;

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 a rate of flow of 2.75 second feet from April 1st to May 1st and 1.38 second feet from May 1st to September 1st of each year, or the equivalent in case of rotation, the total quantity diverted during each irrigation season not to exceed 322.5 acre feet.

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:

T-3663

8.0	<del>35.0</del>	acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$	- 27°
4.0	<del>15.0</del>	acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$	- 11°
8.0	<del>30.0</del>	acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$	- 22°
	<del>8.5</del>	acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$	- 85°
13.0	<del>20.0</del>	acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$	- 72°

Section 1

Township 14 South, Range 40 East, W. M.

*This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 22410, Vol. 16 SRWRC modified in accord with the provisions of the order of the State Engineer entered February 19, 1957, approving transfer application No B-89, and NOT modified by the provisions of an order of the Water Resources Director entered on June 19, 1978, approving transfer application No 3663*

*The issuance of this superseding certificate does not confirm the status of the water right in reference to O.R. S. 540.610*

T# 3663

P.O.D.: SF4 NWA Sec 1 T145 R40EWM

B-89



# AFFIDAVIT OF PUBLICATION

Vale, Oregon April 26 19 78

## TO MALHEUR ENTERPRISE, Dr.

To publishing attached Legal Notice In 3 issues \$ 37.24

STATE OF OREGON }  
County of Malheur } ss.

I, Warren G. Auyer being first duly sworn, depose and say that I am the Foreman Publisher of the printers of The Malheur Enterprise, which is a weekly newspaper of general circulation, printed and published in Vale in said county and state that such newspaper is made up of at least four pages of eight columns each and at least 21 inches in depth of matter; that such newspaper was regularly and uninterruptedly published each week for at least twelve consecutive months immediately

preceding the first publication of attached Legal Notice and has more than 200

bona fide subscribers within said county; that the Legal Notice of which the one hereto attached is a true and correct copy as printed, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, once

each week for 3 successive and consecutive weeks, being published 3

times commencing with the issue dated the 12 day of April, 19 78

and ending with the issue dated the 26th day of April, 19 78

That the amount of charge actually made and to be collected for such newspaper for such publication is \$ 37.24

Warren G. Auyer  
Foreman Publisher of the Printers

Subscribed and sworn to before me this 26th day of April, 19 78

James E. Sexson  
Notary Public for Oregon

My commission expires August 11, 19 78

RECEIVED

MAY 1 1978

WATER RESOURCES DEPT.  
SALEM, OREGON

26, 1978

### NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 3663

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Elmer D. Hill for approval of an additional point of diversion from Willow Creek, pursuant to the provisions of ORS 540.510 to 540.530.

As modified in accord with the provisions of the order of the State Engineer, entered on February 19, 1957, approving transfer application No. B-89, the right described by the certificate issued to Rosina Bronson and recorded at page 22410, Volume 16, State Record of Water Right Certificates, exists for the appropriation of water from Willow Creek, under a priority date of 1868, for beneficial use including the irrigation of a certain 27.0 ac in NE 1/4 NE 1/4, 11.0 ac in NW 1/4 NE 1/4, 22.0 ac in SW 1/4 NE 1/4, 8.5 ac in SE 1/4 NE 1/4 and 7.0 ac in SE 1/4 NW 1/4 of Sec 1, T 14 S, R 40 E, WM.

Water for the said right is diverted from two points located (1) S 34°25' W, 6289 ft; and (2) S 33°50' W, 5369 ft, from the E 1/4 Corner of Sec 36, T 13 S, R 40 E, WM, being within the SE 1/4 NW 1/4 of said Sec. 1.

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 S 29°16' W, 3875 ft from the E 1/4 Corner of Sec 36, T 13 S, R 40 E, WM, being within the NW 1/4 NE 1/4 of said Sec 1, for irrigation of the above described lands.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Vale, Oregon, on June 6, 1978, at 9:30 a.m. All objections 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 Elmer D. Hill, Willow Creek Rd., Ironside, OR 97908; 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 OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Instructions regarding the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 6th day of April, 1978.

James E. Sexson  
Director

Publish: April 12, 19, 26, 1978



## BEFORE THE STATE ENGINEER OF OREGON

Malheur County

IN THE MATTER OF THE APPLICATION )  
 OF ROSINA BRONSON FOR THE APPROVAL )  
 OF A CHANGE IN POINT OF DIVERSION )  
 OF WATER FROM WILLOW CREEK. )

O R D E R

APPROVING APPLICATION B-89

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On November 3, 1954, Rosina Bronson filed an application for the approval of a change in point of diversion of water from Willow Creek pursuant to the provisions of ORS 540.510 to 540.530.

By decrees of the Circuit Court for Malheur County, Oregon, entered June 6, 1916 and August 30, 1956, in the matter of the determination of the relative rights of the various claimants to the waters of Willow Creek and its tributaries, a water right was adjudicated in the name of Alice Williams for the irrigation of 35 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 15 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 30 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 8.5 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 20 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 1, Township 14 South, Range 40 East, W. M., from Willow Creek with a date of priority of 1868. The water for the irrigation of these lands is conveyed through the Morfitt ditches, the point of diversion of the Upper Morfitt ditch being located 1450 feet north and 1190 feet east from the southwest corner of Section 1 and being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , said Section 1, Township 14 South, Range 40 East, W. M., and the diversion of the Lower Morfitt ditch being located 1540 feet south and 2590 feet west from the northeast corner of Section 1, and being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , said Section 1, Township 14 South, Range 40 East, W. M.

The applicant herein, owner of the land above described, proposes to change the upper diversion downstream to a point to be located 2710 feet north and 1810 feet east from the southwest corner of Section 1, and being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , said Section 1, Township 14 South, Range 40 East, W. M., and to change the lower diversion upstream to a point to be located 2960 feet west and 1765 feet south from the northeast corner of Section 1, and being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , said Section 1, Township 14 South, Range 40 East, W. M.



Notice by publication as provided by ORS 540.520 was given in the Ontario Argus-Observer, a newspaper printed and having general circulation in Malheur County, Oregon, for a period of three weeks and being the issues of December 20 and 27, 1956 and January 3, 1957. The time for hearing as fixed in the notice, namely: February 14, 1957, was not less than thirty days after the last publication of the notice.

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

NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from Willow Creek, to-wit:

From a point located 1450 feet north and 1190 feet east from the southwest corner of Section 1, and being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , said Section 1, Township 14 South, Range 40 East, W. M.,

To a point to be located 2710 feet north and 1810 feet east from the southwest corner of Section 1, and being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , said Section 1, Township 14 South, Range 40 East, W. M., and

From Center Cor.  
70°N & 830'W

From a point located 1540 feet south and 2590 feet west from the northeast corner of Section 1, and being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , said Section 1, Township 14 South, Range 40 East, W. M.,

To a point to be located 2960 feet west and 1765 feet south from the northeast corner of Section 1, and being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , said Section 1, Township 14 South, Range 40 East, W. M.,

875'N & 320'W

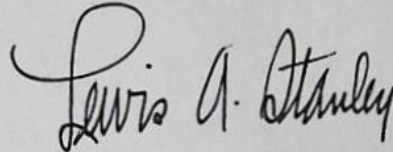
for the irrigation of 35 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 15 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 30 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 8.5 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 20 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 1, Township 14 South, Range 40 East, W. M., with a date of priority of 1868, be and the same hereby is approved.

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, 1957 or within such extension of time as may be granted by the State Engineer for good cause shown.



It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water that is available at the old point of diversion.

Dated at Salem, Oregon this 19th day of February 1957.



LEWIS A. STANLEY  
State Engineer

*Noted on Decree*

*Vol. 3, p 301*

*Cert. 1625*

*Trst. B-89*