

4061

DESCRIPTION OF WATER RIGHT

FEES PAID

Assigned
Name Becker Ranch, Inc

By _____

Address Box 776
Vale, OR 97918Change in Add'l PODDate filed Oct 3, 1978Date of hearing April 19, 1979Place of hearing ValeDate of order 5-9-79 Vol. 32, page 89Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued 1-18-82 Vol. 44, page 50444
50448June 30, 1982 - 45 -51113Name of stream South Fork Indian CreekTrib. of _____ County of Malheur

Use _____

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 1884; Sept 24, 1957In name of Pacific Livestock Co.; Griffith Ford, Inc.Malheur River Adjudication, Vol. 8, page 298App. No. 31193 Per. No. 25134 Cert. No. 33456

Certificate cancelled _____

Notation made on record by _____

Lloyd M. Hill, Inc. 2-22-82 Vol. 64355 Turner Rd. SE (new owner)Salem, Or. 97301

REMARKS

Date	Amount	Receipt No.
<u>10-3-78</u>	<u>35 -</u>	<u>6507</u>
TOTAL . . .		
	0 Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

EX 20 -
POD 15 -
35 -Page
989

W.R.I.S.	
Assembled <u>7-5-85</u> by <u>77A</u>	
Entered _____ by _____	
Verified _____ by _____	

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

T-4061

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DEC 11 1978

WATER RESOURCES DEPT.
SALEM, OREGON

10 Per 25134 Cert 33456

10 Cert. 6989

T.18S. R.39 E.W.M.
T.18S. R.40 E.W.M.

Existing Diversion Point
Sec Final Proof P.25134 - 1961

Additional Point of Diversion
South Fork

Indian Creek

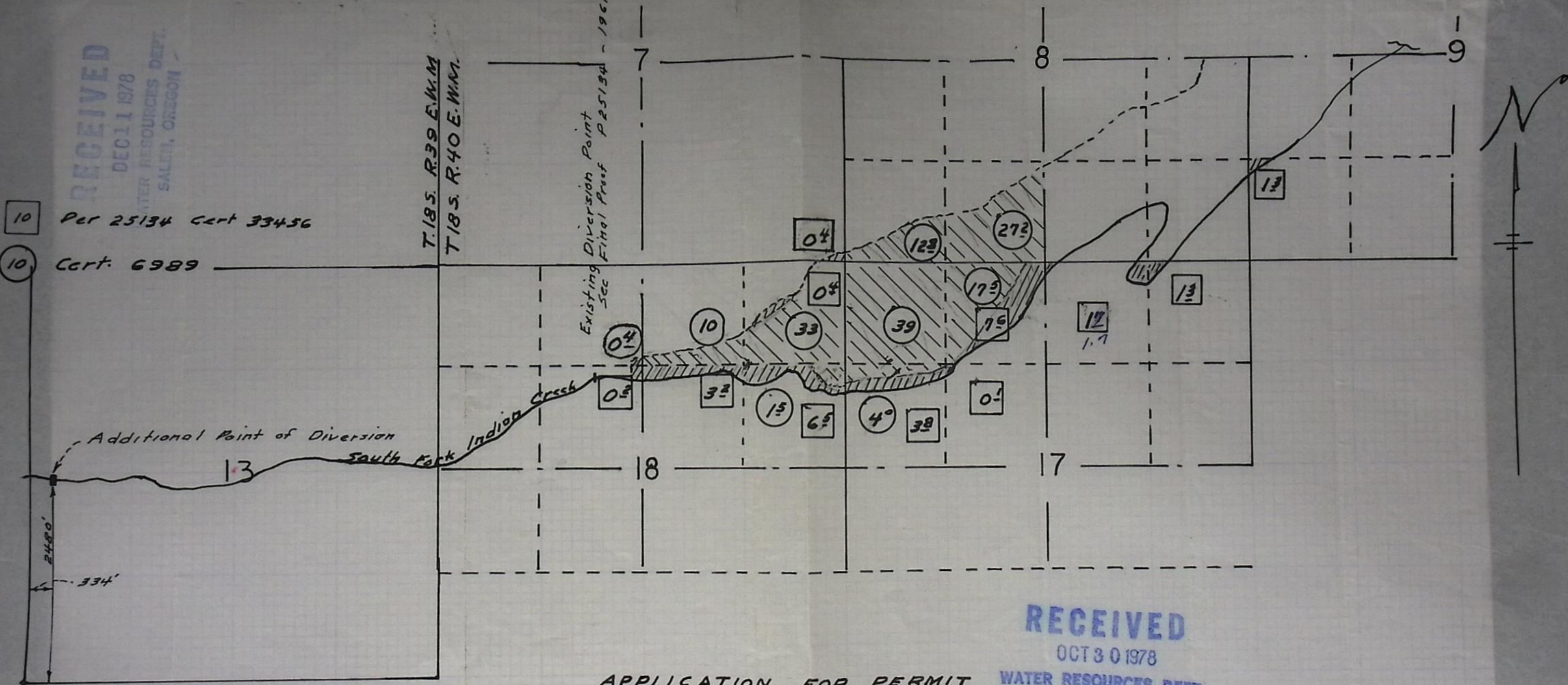
SW Cor. Sec 18 - rock pile

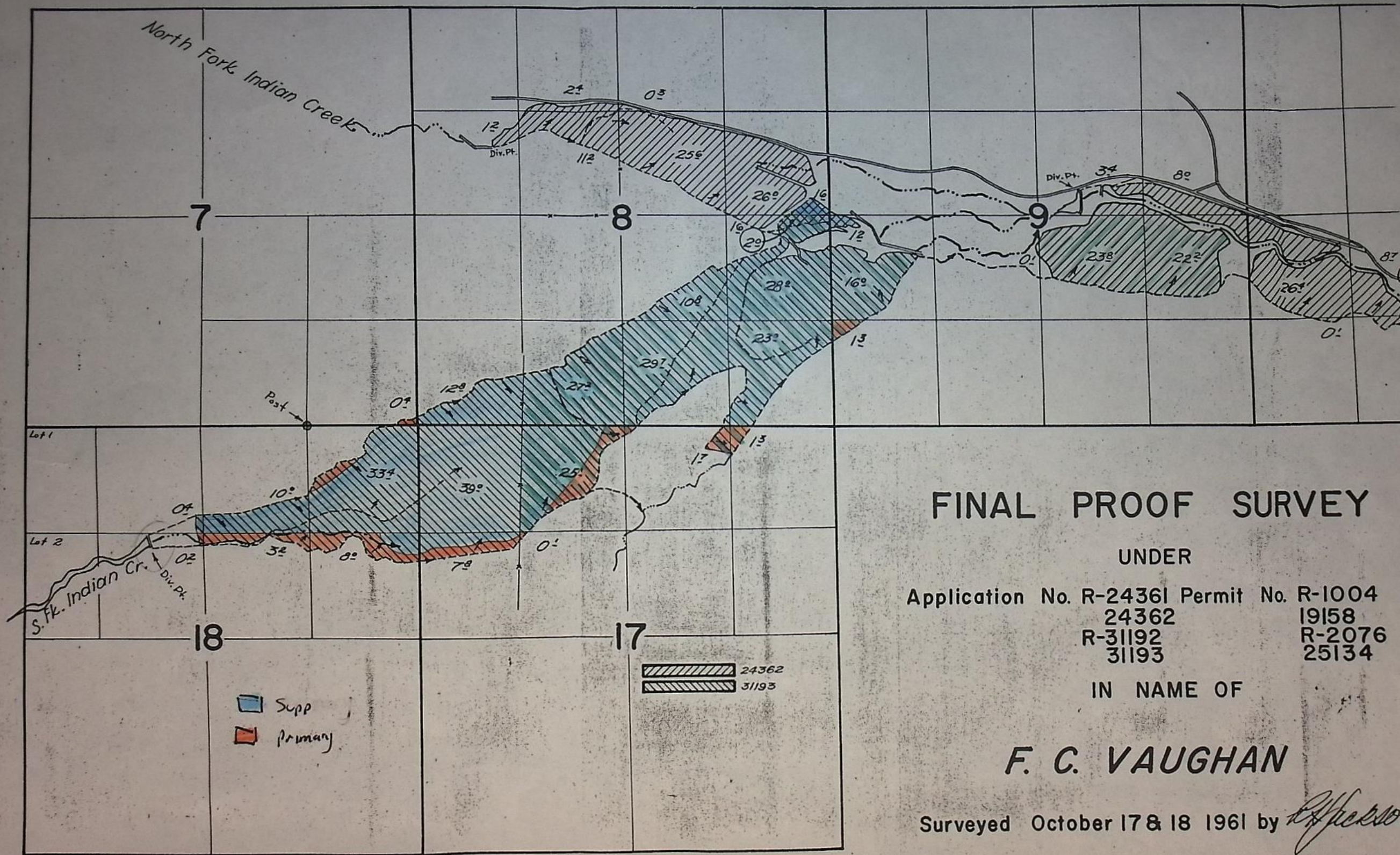
APPLICATION FOR PERMIT
Becker Ranch Inc.
Westfall, Ore.
Scale 4" = 1 mi.

RECEIVED

OCT 30 1978

WATER RESOURCES DEPT.
SALEM, OREGON





FINAL PROOF SURVEY

UNDER

Application No. R-24361 Permit No. R-1004
 24362 19158
 R-31192 R-2076
 31193 25134

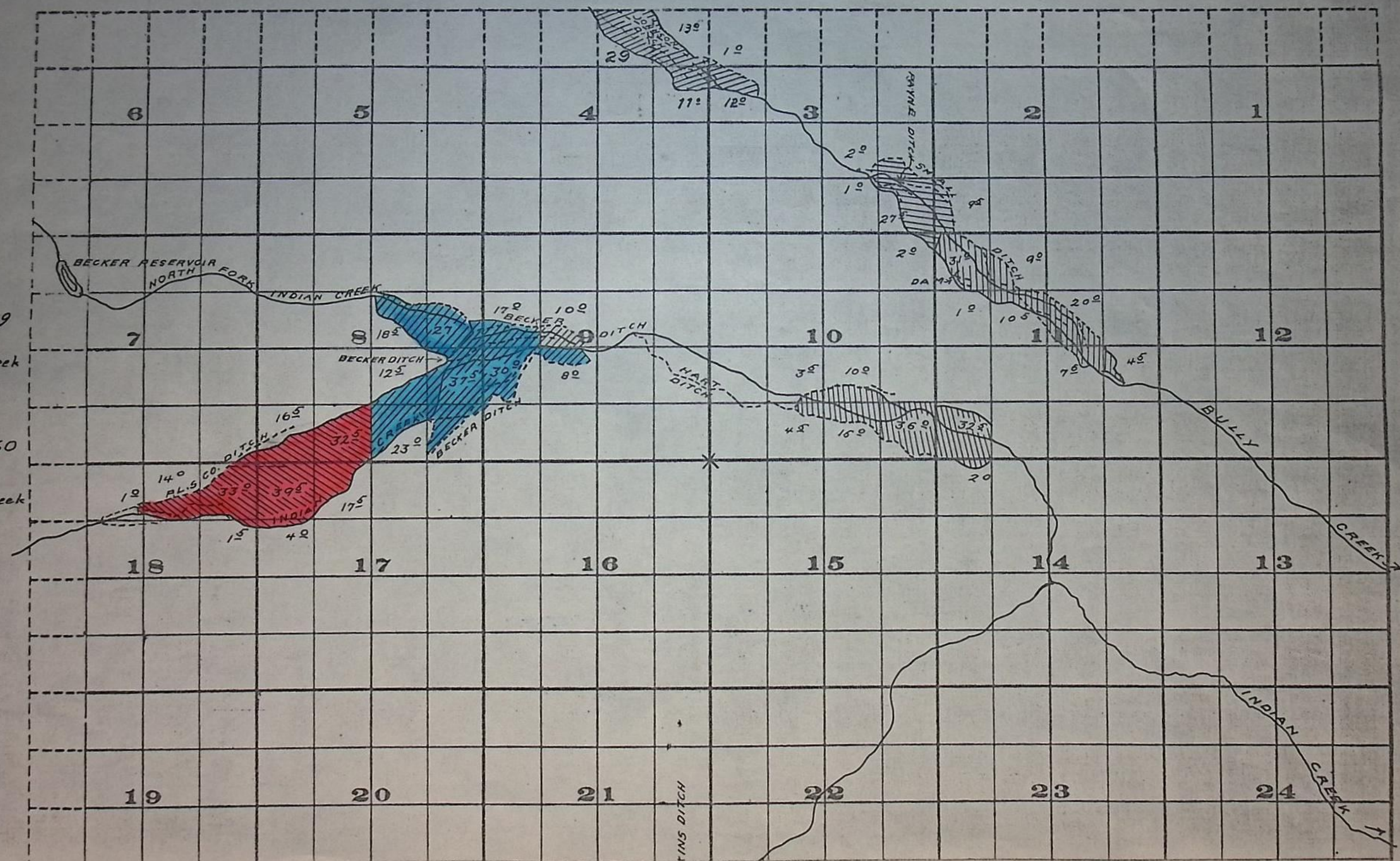
IN NAME OF

F. C. VAUGHAN

Surveyed October 17 & 18 1961 by

[Signature]

Range 40, E. W. M.



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF THE APPLICATION)
OF BECKER RANCH, INC., FOR AP-)
PROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4061

On October 3, 1978, an application was filed in the office of the Water Resources Director by Becker Ranch, Inc., for approval of an additional point of diversion of water from South Fork Indian Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 6989, Volume 7, State Record of Water Right Certificates, in the name of Pacific Livestock Company, describes a right which includes the use of water from Indian Creek (South Fork) for irrigation of a certain 12.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 27.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8; 17.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 39.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 4.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17; 33.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 10.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.4 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 1.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, Township 18 South, Range 40 East, W.M., with a date of priority of 1884.

The certificate recorded at page 33456, Volume 25 of said record, in the name of Griffith Ford, Inc., describes a right which includes the use of not to exceed 0.66 cubic foot per second from South Fork Indian Creek for irrigation of 0.4 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7; 1.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9; 1.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 7.6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 0.1 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17; 0.4 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 3.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 6.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 0.2 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, Township 18 South, Range 40 East, W.M., with a date of priority of September 24, 1957.

Water for said rights is diverted, through the Indian Creek Ranch Ditches, from a point located 1440 feet South and 1550 feet East from the Northwest Corner of Section 18, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, Township 18 South, Range 40 East, W.M.

The applicant herein proposes to establish, without loss of priority, an additional point of diversion of water on South Fork Indian Creek for the lands above described at a point located 2480 feet North and 334 feet East from the Southwest Corner of Section 13, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township

18 South, Range 39 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), 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 February 28, March 7 and 14, 1979.

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

No objections having been filed and it appearing that the proposed additional point of diversion may be established 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 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 the construction work shall be completed and the additional point of diversion of water established on or before October 1, 1980.

The order of the Water Resources Director entered May 9, 1979, provided for cancellation of that portion of the right to use of water from Indian Creek (South Fork) described by certificate recorded at page 6989, Volume 7, State Record of Water Right Certificates, NOT involved in this transfer proceeding.

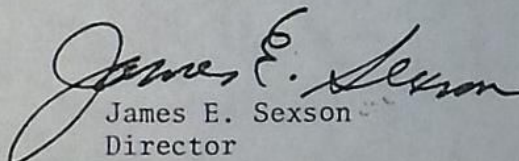
The order of the Water Resources Director entered March 9, 1967, approving transfer No. D-118, provided for cancellation of the certificate recorded at page 6989, Volume 7, State Record of Water Right Certificates, and issuance of a new

certificate covering the balance of the right NOT involved in that transfer proceeding and confirming prior changes; therefore,

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 March 9, 1967, approving transfer No. D-118; 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 Griffith Ford, Inc., and recorded at page 33456, Volume 25, State Record of Water Right Certificates, be canceled; and in lieu thereof a new certificate of water right be issued to the applicant herein confirming the change authorized herein and covering the balance of the right NOT involved in this proceeding.

Dated at Salem, Oregon this 9th day of May, 1979.


James E. Sexson
Director

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This Is to Certify, That BECKER RANCH, INC.

of Box 776, Vale State of Oregon 97918, has
a right to the use of the waters of South Fork Indian Creek

a tributary of Bully Creek for the purpose of
irrigation of 145.4 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 1884;

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 one and one-half
acre-feet per acre in any 30-day period prior to June 1, one acre-foot per
acre in any 30-day period after June 1 of each year, or three 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 SE 1/4 NW 1/4, Section 18, T18S, R40E, WM;
NW 1/4 SW 1/4, Section 13, T18S, R39E, WM; 1,440 feet South and 1,550 feet
East from NW Corner, Section 18, 2,480 feet North and 334 feet East from SW
Corner, Section 13

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

SEE NEXT PAGE

12.8 acres SW 1/4 SW 1/4
 27.2 acres SE 1/4 SW 1/4
 Section 8

17.5 acres NE 1/4 NW 1/4
 39.0 acres NW 1/4 NW 1/4
 4.0 acres SW 1/4 NW 1/4
 Section 17

33.0 acres NE 1/4 NE 1/4
 10.0 acres NW 1/4 NE 1/4
 1.5 acres SE 1/4 NE 1/4
 0.4 acre NE 1/4 NW 1/4
 Section 18

Township 18 South, Range 40 East, WM

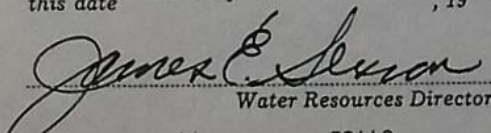
This certificate is issued to confirm an additional point of diversion approved by an order of the Water Resources Director entered May 9, 1979 and together with certificates of water right recorded at pages 50444, 50445, 50446, 50447, 50449 and 50450, Volume 44, State Record of Water Right Certificates, and orders of the Water Resources Director entered March 6, 1935 and April 14, 1980, supersedes certificate of water right recorded at page 6989, Volume 7, 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.

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 January 18, 19⁸²


 Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 44, page 50448
 9037A

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT)
IN THE NAME OF PACIFIC LIVE-)
STOCK COMPANY)

O R D E R

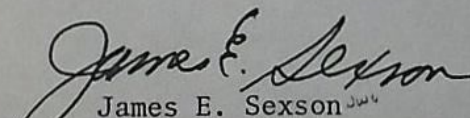
On February 15, 1979, B. N. Glanville, having authority to act for Becker Ranch, Inc., submitted an affidavit that Becker Ranch, Inc., is the owner of a certain water right and the lands to which the water right is appurtenant; that Becker Ranch, Inc., has abandoned any and all interest in and to said water right and requests the same be canceled.

The water right in question was allowed by Decree of Circuit Court for Malheur County, entered May 13, 1925, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Malheur River, tabulated at page 299, Volume 8, Order Record of the Water Resources Director, in the name of Pacific Livestock Company, and is a portion of the right to the use of water from Indian Creek (South Fork) described by the certificate recorded at page 6989, Volume 7, State Record of Water Right Certificates, and is for the use of water, with a date of priority of 1884, for irrigation of a certain 3.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 5.3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8; 0.5 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17; 0.6 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 4.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, Township 18 South, Range 40 East, W.M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 6989, Volume 7, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon this 9th day of May, 1979.


James E. Sexson
Director

032,985

S. F. INDIAN CR

WR T-0982-C1

*** OREGON WATER RESOURCES DEPARTMENT ***
 *** WATER RIGHTS DIVISION ***
 *** WATER RIGHT DATA INPUT FORM ***

PAGE 1
 RUN ON: 3/20/81 AT: 9:08

WATER RIGHT NO. T000040611 PERMIT NO. 008299 CERTIF. NO. 0050448 NAME: LLOYD M. HILL, INC

ORIG. NO. C000069891 PREV. NO. C000069891 SUPER. NO.

ADDRESS: 4355 TURNER RD SE

CITY/STATE/ZIP/COUNTY: SALEM, OR 97301

23

STREAM-ID 10 5940 0120 0190 090

RIV. MI.

WM. DIST. 09 W.R. TYPE SC STATUS V

CANCEL YEAR--->

CONSTR. COMPLT---> 05 29 1979 YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 12 31 1884

PUT TO USE-----> 05 29 1979 LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION---> 10 03 1978

SURVEYED-----> 08 01 1979 EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE---> 05 09 1979

CONCURRENCE---> 08 01 1979 CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT---> 05 09 1979

CERTIFIED-----> 01 18 1982 CORRES. INIT.----->

CORRES. DATE----->

POINT-OF-DIVERSION DATA;
 TWP/SP RNGE SECT QTR/QTR STREAM-ID

RIV. MI. RATE

STATUS S OR P

** REMARKS; - - - - -
 ** DATED-->

1805 400E 18 B D 10 5940 0120 0190 090

3.635

V

P

** ROD 2) 1440'S & 1550'E PM NW

1805 390E 13 C B 10 5940 0120 0190 090

3.635

V

P

** COR 518.2) 2480'N & 334'E FM

** SW COR 513. ADDS ROD TO PART OF

** C-6989. RR & CONFIRM C-50448.

PLACE-OF-USE DATA:

TWP/SP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES

STATUS S OR P

SEE ATTACHED

**-----
 **-----
 **-----

W.R.I.S.

Assembled 4-5-85 by SM

Entered _____ by _____

Verified _____ by _____

PLACE - OF - USE, DATA:

[illegible]

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WATER RESOURCES DEPT.
SALEM, OREGON

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SALEM, OREGON

T-4061

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, BECKER RANCH, INC.

(Name of applicant)

of Box 776

(Mailing address)

Vale

(City)

State of Oregon97918

(Zip Code)

473-3141

(Phone number)

, do hereby make application for change

Additional point of diversion

(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? No - Pacific Livestock Company

(If not, give name)

2. Was your water right determined by Decree of Court? yes If so, give title of proceedings

(Yes or No)

Malheur River adjudicationnumber of certificate 69893. Was your water right acquired by Water Right Permit? If so, give number

(Yes or No)

of permit Number of certificate

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is Indian Creek (South Fork)5. What is the date of priority of your water right? 18846. The authorized point of diversion is located 1440 ft. S and 1550 ft. E from the N.W.

(N. or S.)

(E. or W.)

corner of Sec. 18 being within the S.E. 1/4 N.W. 1/4 of Section 18 Tp. 18 S R. 40 E. W. M.,

(No. N. or S.) (No. E. or W.)

in the county of Malheur The name of the ditch used is Indian Creek Ranch Ditches

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located 2480 ft. N and 334 ft. E from the S.W.

(N. or S.)

(E. or W.)

corner of Sec. 13 being within the NW 1/4 SW 1/4 of Section 13 Tp. 18 S R. 39 E. W. M.,

(No. N. or S.) (No. E. or W.)

in the county of Malheur The name of the ditch to be used is sprinkler system

8. The use to which the water is applied is irrigation
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
T. 18 S.	R. 40 E.	8	SW $\frac{1}{4}$ SW $\frac{1}{4}$	16.5 12.8
		8	SE $\frac{1}{4}$ SW $\frac{1}{4}$	32.5 27.2
		17	NE $\frac{1}{4}$ NW $\frac{1}{4}$	17.5
		17	NW $\frac{1}{4}$ NW $\frac{1}{4}$	39.0
		17	SW $\frac{1}{4}$ NW $\frac{1}{4}$	4.0
		18	NE $\frac{1}{4}$ NE $\frac{1}{4}$	33.0
		18	NW $\frac{1}{4}$ NE $\frac{1}{4}$	10.0
		18	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.5
		18	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.9 0.4
				corrected water

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? Yes
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? No
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.?
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

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SALEM, OREGON

RECEIVED

OCT 30 1978

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, BECKER RANCH INC.
(Name of applicant)of Box 776, Vale
(Mailing address) (City)State of Oregon, 97918, 473-3141, do hereby make application for change
(Zip Code) (Phone number)Additional point of diversion

(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? No - Griffith Ford, Inc.
(If not, give name)2. Was your water right determined by Decree of Court? If so, give title of proceedings
(Yes or No) number of certificate 3. Was your water right acquired by Water Right Permit? Yes If so, give number
(Yes or No)
of permit 25134 Number of certificate 33456

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is South Fork Indian Creek5. What is the date of priority of your water right? September 24, 19576. The authorized point of diversion is located 1440 ft. S and 1550 ft. E from the NW
(N. or S.) (E. or W.)
corner of Sec. 18 being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18 Tp. 18 S R. 40 E W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Malheur The name of the ditch used is

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located 2480 ft. N and 334 ft. E from the SW
(N. or S.) (E. or W.)
corner of Sec. 13 being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13 Tp. 18 S R. 39 E W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Malheur The name of the ditch to be used is sprinkler system

8. The use to which the water is applied is irrigation
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
T 18 S	R 40 E	7	SE $\frac{1}{4}$ SE $\frac{1}{4}$	0.4
		9	SW $\frac{1}{4}$ SW $\frac{1}{4}$	1.3
		17	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1.3
		17	NW $\frac{1}{4}$ NE $\frac{1}{4}$	1.7
		17	NE $\frac{1}{4}$ NW $\frac{1}{4}$	7.6
		17	SW $\frac{1}{4}$ NW $\frac{1}{4}$	3.8
		17	SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.1
		18	NE $\frac{1}{4}$ NE $\frac{1}{4}$	0.4
		18	SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.2
		18	SE $\frac{1}{4}$ NE $\frac{1}{4}$	6.5
		18	SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.2

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? yes
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? no
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? no
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is _____
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

RECEIVED**FEB 15 1979****A F F I D A V I T****WATER RESOURCES DEPT.
SALEM, OREGON**

I, B. N. Glanville, having authority to act for Becker Ranch, Inc., being first duly sworn, depose and say that Becker Ranch, Inc., is the owner of a water right and the land to which it is appurtenant, which is for the use of water from Indian Creek (South Fork) for irrigation of 3.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 5.3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8; 0.5 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17; and 0.6 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 4.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, Township 18 South, Range 40 East, W.M., with a date of priority of 1884, being that part of the right described by the certificate recorded at page 6989, Volume 7, State Record of Water Right Certificates, providing for use of water from Indian Creek (South Fork) NOT involved in water right transfer application No. 4061; that Becker Ranch, Inc., has abandoned any and all interest in and to said portion of the water right and requests the same be canceled.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of February, 1979.

B. N. Glanville

B.N. Glanville, President
Becker Ranch, Inc.

Subscribed and sworn to before me this 13th day of February, 1979.

Sandi Gaona

Notary Public for Oregon

My Commission expires: 5/18/82



14. Reasons for the proposed changes are Applicant installed over 8000' of
buried 12" PVC pipe to maintain a difference of elevation of 114 feet.
This develops over 50 lbs. pressure to operate wheel and band sprinklers
by gravity. Saves approximately 50% on water demand.

15. Construction work will be completed on or before completed

16. The water will be completely applied to the proposed use on or before July 1979

Remarks Diversion constructed - need additional rip rap.

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

I Buckner Ranch Inc. by B. N. Glanville president, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 7th day of December, 1978.

B. N. Glanville
(Name of applicant)

Subscribed and sworn to before me this 7th day of December, 1978.

[Notarial Seal]

Sandi Gano

NOTARY PUBLIC FOR OREGON

My commission expires 5/18/82

POD
POU
USE

[illegible]

Info: Mr. Glanville. Div. pt. used as filed.

Source: So. Fk. Indian Crk. Div is a dam across crk. Dam is just a temporary storage facility, not a reservoir, he says. Says he could pump it dry in about 4 hrs. if he stopped flow @ reservoir upstream. He says he has water rights on upstream reservoir.

Dam is cement 16' long 24" wide @ top and 36" wide @ base. Dam is 10' high structure on sides; 8' high along the 16' length. 2' F.B. Has a 40" square drain ~~which~~ which he opens every ~~unit~~ fall and closes every spring. Main line is 12" white pvc (buried) to the end of the irr. area.

Use: Irr of alfalfa.

Equip: pipe - 9 wheel lines (38 HDS ea.) - 4" Alum

3 hand lines (38 HDS ea.) - 3" Alum.

heads - RB 30 1 1/4 x 0 (all max) Says he uses between 2400 - 2500 GPM. Pressure when

Lift: all running is 50 psi. When shut off is 130 psi. See quad for elev.

Tie: Insp. No ties in area for photo or PTS. Glanville says this map done by P.L.S. from stakes and notes of another survey through area. No stakes now. Fences in this canyon mean nothing he says. Marked res on photo BBC-16N-95 anyway.

Chris Hughes

FE

8/1/79

RECEIVED

DEC 11 1978

WATER RESOURCES DEPT.
SALEM, OREGON

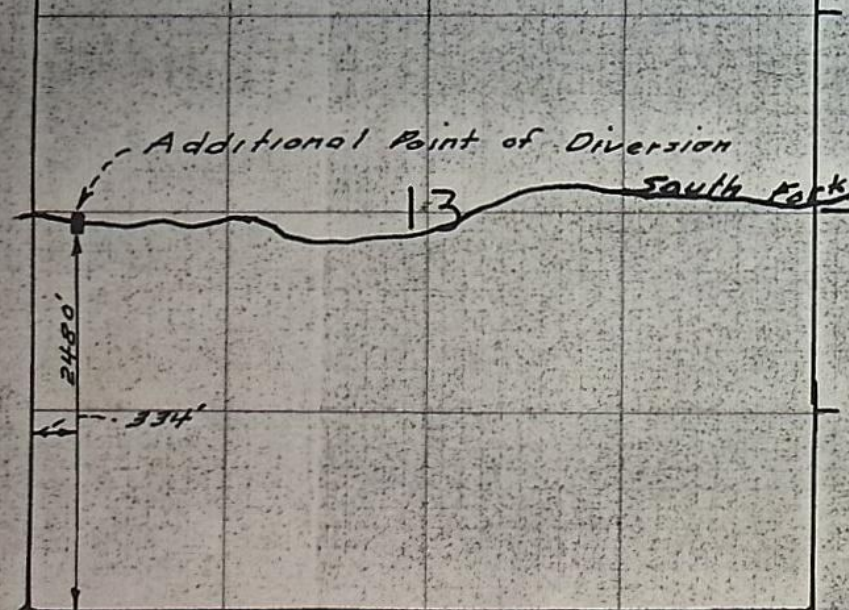
T.18S. R.39 E.W.M.

T.18S. R.40 E.W.M.

Existing Diversion Point
Sec Final Prof P25134 - 1961

10 Per 25134 Cert 33456

10 Cert. 6989



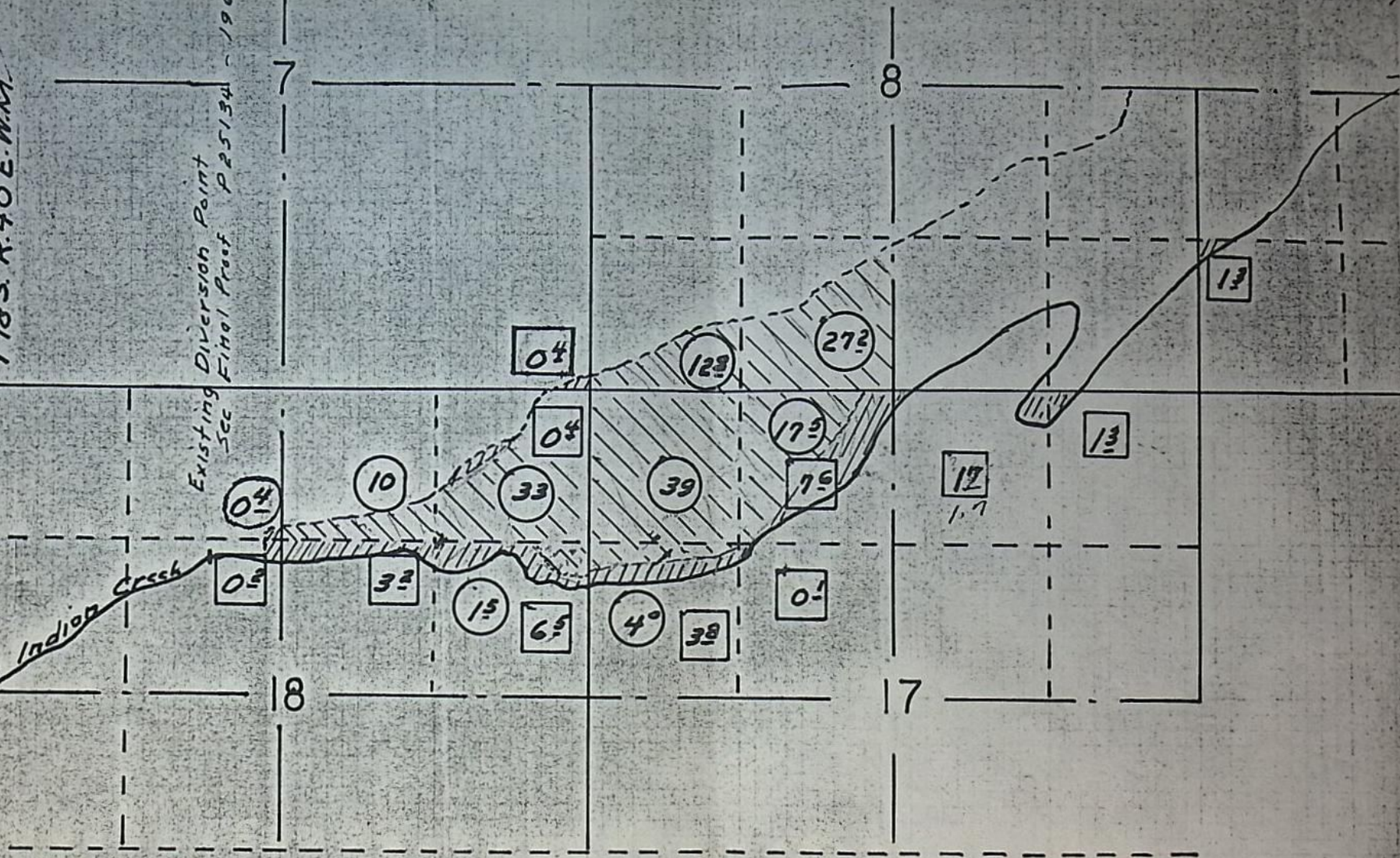
SW Cor. Sec 18 - rock pile

APPLICATION FOR PERMIT
Becker Ranch Inc.
Westfall, Ore.
Scale 4" = 1 mi.

RECEIVED

OCT 30 1978

WATER RESOURCES DEPT.
SALEM, OREGON



RECEIVED

MAY 29 1979

WATER RESOURCES DEPT.
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

point of diversion of water from South Fork Indian Creek.

PURSUANT TO TRANSFER APPLICATION NO. 4061

I, Becker Ranch, Inc., hereby certify that completion of works and use of water to the extent intended within the provisions of the order of the Water Resources Director approving said water right transfer application was accomplished by sps, 19 79

sps/79
Date

B. N. Gannett
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: April 27, 1979.FROM: ** Frank Elfering, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4061IN THE NAME OF Becker Ranch, Inc.**RECEIVED**

APR 30 1979

WATER RESOURCES DEPT.
SALEM, OREGON

In my opinion the proposed change in add'l point of diversion from So. Fork Indian Cr.
MAY BE MADE WITHOUT INJURY ~~WOULD RESULT IN INJURY~~* to an existing water right.

Headgate notices ~~HAVE~~ HAVE NOT been issued for diversion from the sources which serves this right.

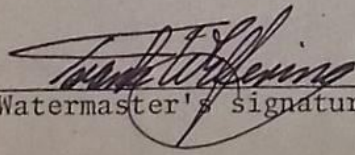
If for change in point of diversion, is there any intervening point of diversion between the authorized and the proposed points of diversion? No
(yes or no)

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- (1) PRIOR to the diverting of water at the new point of diversion . . .
 X (2) When in the judgment of the watermaster it becomes necessary . . .

* The approval of this transfer application would result in injury to other water rights because _____

**


Watermaster's signature or initials

AFFIDAVIT OF PUBLICATION

Vale, Oregon March 14 19 79

RECEIVED

To MALHEUR ENTERPRISE, Dr. **MAR 16 1979**
WATER RESOURCES DEPT.
SALEM, OREGON

To publishing attached Legal Notice In 3 issues \$ 60.76

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 28th day of February, 19 79

and ending with the issue dated the 14th day of March, 19 79

That the amount of charge actually made and to be collected for such newspaper for such publication is \$ 60.76

Warren G. Auyer
Foreman Publisher of the Printers

Subscribed and sworn to before me this 14th day of March, 19 79

Garland Auyer
Notary Public for Oregon

My commission expires August 11, 19 82

Legal notice

NOTICE OF WATER RIGHT TRANSFER APPLICATIONS NOS. 4060 & 4061

Notice is given hereby that applications have been filed in the office of the Water Resources Director by Becker Ranch, Inc., for approval of a change in point of diversion from Malheur River and for approval of an additional point of diversion from South Fork Indian Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 6872, Volume 7, State Record of Water Right Certificates, in the name of Joe Carter, describes a right which includes the use of water from Malheur R. for irrigation of 7.5 ac in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 5.0 ac in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec 31; 7.0 ac in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 4.5 ac in SW $\frac{1}{4}$ NW $\frac{1}{4}$ & 4.0 ac in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 32, T 20S, R 39E, WM, with a date of priority of 1906. Water for said right is diverted, through the Carter Ditch, from a point located 400 ft N from the NW Corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 31, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 30, T 20S, R 39E, WM.

By transfer application No. 4060, the applicant herein proposes to change the point of diversion of water on Malheur R. and, without loss of priority, to hereafter irrigate the lands above described from a point located 761 ft S & 1149 ft W from the E $\frac{1}{4}$ Corner of Sec 31, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec 31, T 20S, R 39E, WM.

The certificate recorded at page 6989, Volume 7 of said record, in the name of Pacific Livestock Company, describes a right which includes the use of water from Indian Cr (So. Fk.) for irrigation of 12.8 ac in SW $\frac{1}{4}$

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Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

January 8, 1979

H. B. Glanville, President
Becker Ranch, Inc.
Box 776
Vale, Oregon 97918

RE: Files Nos. T-4060, T-4061

Dear Mr. Glanville:

Your corrected water right transfer application No. 4061 and supporting map were received December 11, 1978. We also received your affidavit providing for cancellation of part of your water right for use of water from Malheur River.

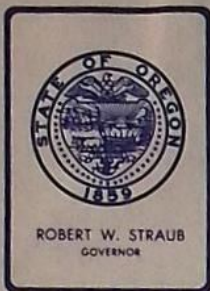
I am enclosing another affidavit of abandonment for you to complete and submit. This affidavit will provide for clearing our records of that portion of the right to use water from Indian Creek described by certificate 6989 but not covered by your transfer application No. 4061.

Upon receipt of the properly completed affidavit, we will prepare the notice of the proposed changes for publication. Please advise us which newspaper that is printed and has general circulation in Malheur County you prefer that we use.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

November 17, 1978

B. H. Glanville, Presidnet
Becker Ranch, Inc.
Box 776
Vale, Oregon 97918

RE: Files No. T-4060, T-4061

RECEIVED
DEC 11 1978
WATER RESOURCES DEPT.
SALEM, OREGON

Dear Mr. Glanville:

Your superceding water right transfer application No. 4061, along with a new map prepared on tracing paper, was received October 30, 1978. We also received your water right transfer application No. 4060 and supporting map October 19, 1978.

Transfer application No. 4060 now appears to be in satisfactory form. However, we will need some clarification in regard to transfer application No. 4061; and it will be necessary that the affidavit of applicant section be completed before a notary.

The acreage illustrated on the map supporting transfer application No. 4061 for the right described by certificate 6989 is not in agreement with the acreage listed in the application. Either the map or Item No. 8 on the application must be amended to be in agreement.

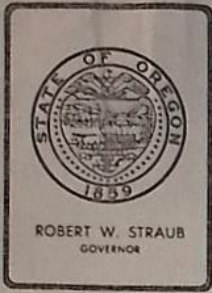
*Corrected
WJO* { If the portion of the water right (14.1 acres) listed in Item No. 8, but not shown on the map, will not be included, and if this portion of the water right is no longer valid, we can prepare the necessary affidavit of abandonment for you to complete and submit.

I am returning your transfer application No. 4061 and supporting map for completion.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

October 9, 1978

B. N. Glanville, President
Becker Ranch, Inc.
Box 776
Vale, Oregon 97918

RE: Files No. T-4060, T-4061

Dear Mr. Glanville:

Your water right transfer applications for approval of changes in points of diversion from Malheur River and South Fork Indian Creek, together with two supporting maps and fees of \$134.60, were received October 3, 1978. Our receipts No. 6506 and 6507 are enclosed.

The transfer application proposing the change in point of diversion from Malheur River has been assigned number 4060 and appears to be in satisfactory form. You have noted in the remarks section of this application that the right for 4.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ has been abandoned and that the acreage in Section 29 is under different ownership.

The water right described by certificate 6872 also included a right to irrigate 5.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 20S, R 39E, W.M. Will you please advise us of the status of this portion of the right? If you own the said 5.0 acres and this portion of the right has also been abandoned, the enclosed affidavit of abandonment should be properly completed before a notary and returned to this office. However, if the acreage was omitted from your transfer application and map, they should be amended.

I do not understand completely your proposal as described in your transfer application for an additional point of diversion from South Fork Indian Creek. This transfer application has been assigned number 4061.

The certificate and permit numbers listed in item No. 3 of transfer application No. 4061 are numbers relative to permits and certificates which, except for portions of permit No. 21534 (certificate 33456) and certificate 6989, describe sources other than South Fork Indian Creek. Some of the acreage listed on the second page is also supplied water from sources other than South Fork Indian Creek.

If you intend an additional point of diversion for the existing water

Glanville/Becker Ranch
File No. T-4060, T-4061
page 2

rights which presently provided for the use of water from South Fork Indian Creek from the point of diversion described in item No. 6 of your application, it should be amended by describing a proposed additional point of diversion for the use of water from South Fork Indian Creek for the irrigation of acreage described in certificate 6989 where the right is still valid and for irrigation of acreage, being the 26.5 acres listed as being supplied a primary source, as described in certificate 33456. The point of diversion for stored water is at the dam, so the reservoir should not be included as a source in your application.

I am enclosing an application to which I have made penciled entries based on information from your supporting map and information from our records for those portions of the water rights that appear to be involved described by certificates 6989 and 33456. Please review this application. If it accurately describes your proposed use of water, it may be redone in ink, or typed, and submitted as a superseding application. However, if you propose other changes or have questions, please contact me by telephone via our toll-free number: 1-800-452-7813. Or you may wish to contact Frank Elfering, our representative for your area. His office is located at the Malheur County Courthouse in Vale and his telephone number is 473-3930.

I am returning both of your applications and the supporting maps for completion. Please refer any correspondence to files No. T-4060 and T-4061.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj
cc: Frank Elfering, Watermaster

TOWNSHIP 18 S. RANGE 40 E. W. M.																SECTION 9		
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
						17		8	30							Malheur River		6860
SUPERSEDED						40						40	(-80-)			7762	4996	10093
		23						31	x			20	26			15357	11290	12107
		01	56									31				17688	13378	12477
		30	56					01	13			22	23			Supplemental		
								21	115			81	33.8	35		24362	19158	33454
		01	24					28.9	10	14.2					2.7	24362	19158	33454
						23		32	10							7762	4996	17395
						17		8	30		40					7762	4996	17395
																Supplemental		
								17								31193	25134	33456
												13				31193	25134	33456

