

Williams

Name Assigned Darryl Williams
 By _____
 Address PO Box 836
Ward Cove, Alaska
99928

Change in POD
 Date filed Nov 27, 1978
 Date of hearing Jan 25, 1979
 Place of hearing Vale
 Date of order 1-29-79 Vol. 31, page 602
 Date for application of water 10-1-80
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

4096

DESCRIPTION OF WATER RIGHT

Name of stream Malheur River 10-5940
 Trib. of _____ County of Malheur
 Use _____
 Quantity of water _____ No. of acres 95
 Name of ditch _____
 Date of priority _____
 In name of _____
Malheur River Adjudication, Vol. 8, page 263
 App. No. _____ Per. No. _____ Cert. No. 6872
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>11-27-78</u>	<u>70⁰⁰</u>	<u>7959</u>
TOTAL . . .		
	Cert. Fee	

Malheur Enterprise \$31.36 pd 1/16/79 OK # 2994

FEES REFUNDED

Date	Amount	Check No.
<u>1-16-79</u>	<u>364</u>	<u>2993</u>

EX 20-
POD 15-
POD 31 36
664 36

REMARKS

New Owner 2-22-82.
Lloyd M. Hill Inc.
4355 Turner Rd. SE
Salem, Or. 97301

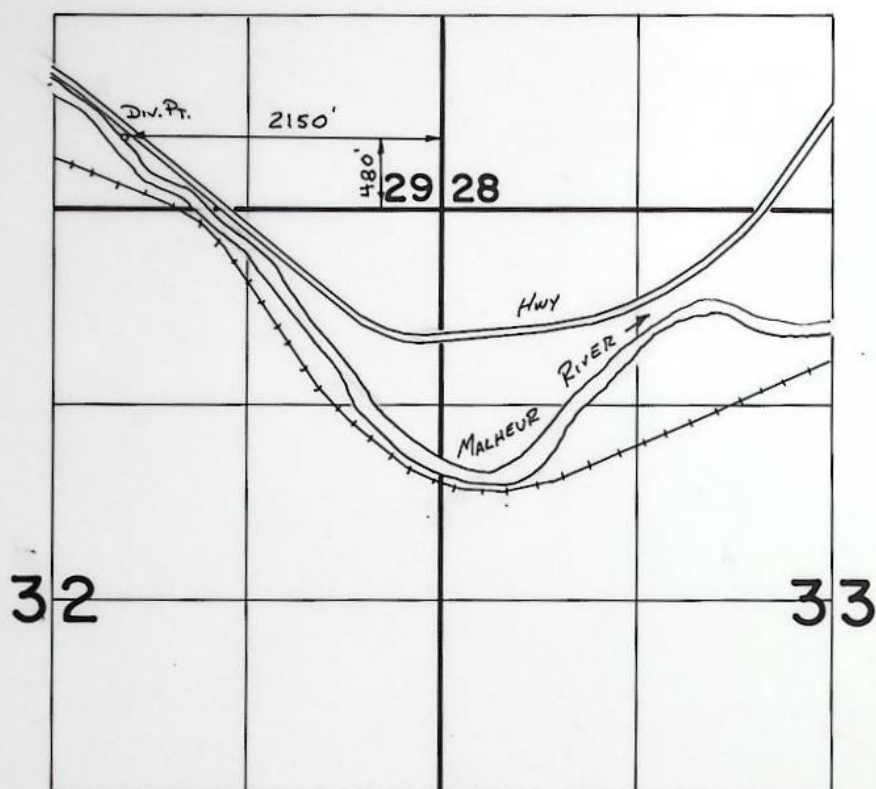
Vol 6
 Page 989

See T-4060 - involves part of balance of right
Surveyed 5/31/84 (Briggs)

W.R.I.S.	
Assembled <u>7-8-85</u> by <u>SR</u>	
Entered _____ by _____	
Verified _____ by _____	

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

T. 20S., R. 39E., W.M.



SCALE 1" = 1320

FINAL PROOF SURVEY
UNDER

TRANSFER 4096
IN NAME OF

.....**DARRYL**.....**WILLIAMS**.....

Surveyed S-24..... 1988, by V.L. Church.....

Add '1' POD

County Malheur

1. Name Daniel Williams

2. Source of Supply Malheur River, Trib of

3. Use in 1950s

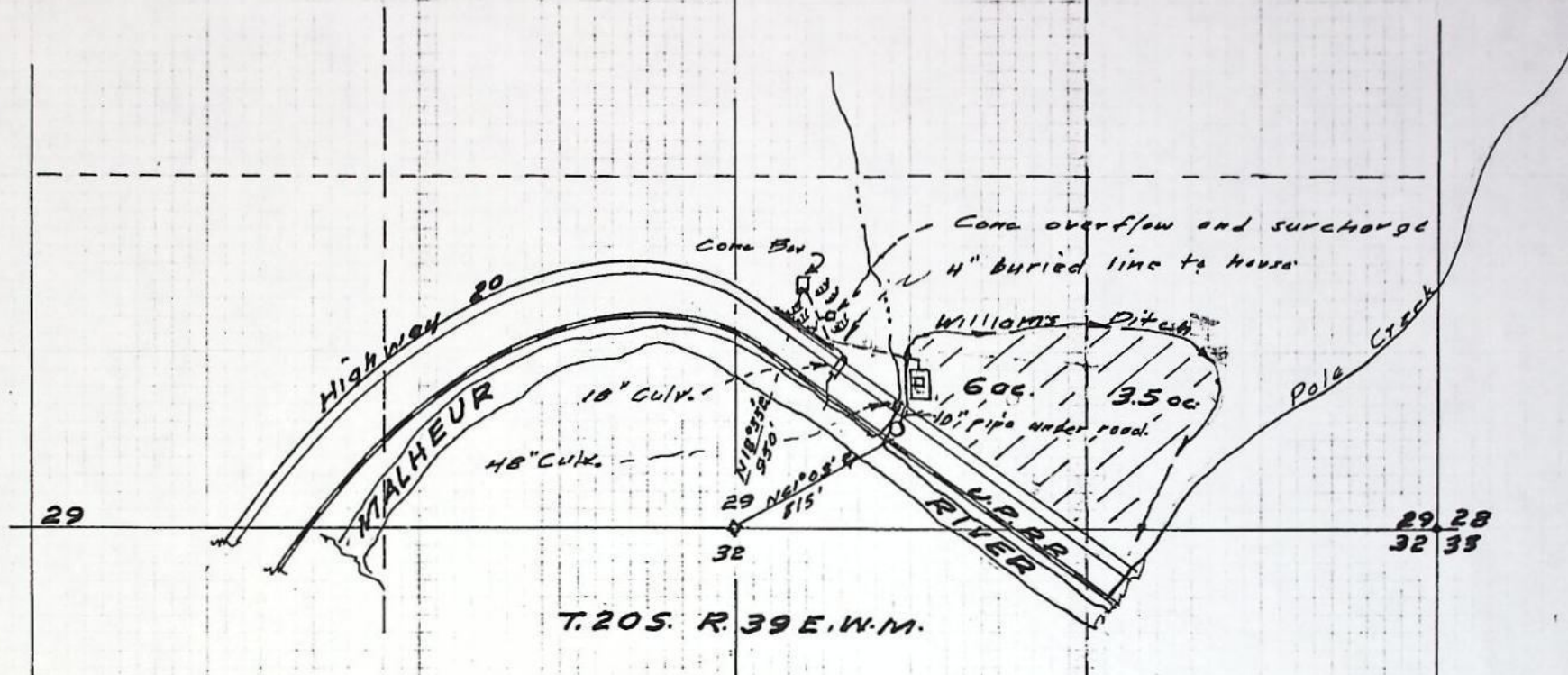
4. Amount of Water Priority Date 1906

5. Proposed Point of Diversion N 61° 03' E, 815 ft from SW Corner,
Sec 29, T20S, R39E, SW 1/4 SE 1/4

6. Completion Date 10-1-80

7. Place of Use:

[illegible]



APPLICATION FOR PERMIT
 Darryl Williams-Vale Ore.
 Scale 1"=660'

T-4096
RECEIVED
 NOV 27 1978
 WATER RESOURCES DEPT.
 SALEM, OREGON

Info: Darryl Williams
Same address

Talked to Don Torkelson he is farming and taking care of the place.
We have a pump on the river that we pump the water in a 6" steel line to
an open discharge. Then he floods out of the ditch.

Div P_r pumps directly out of river.

MOTOR & PUMP Dalton 7.5 HP @ 1740 RPM
belt 2' center to center
10" x 5' rad.
3 x 6" outlet,

Use: on land pasture.

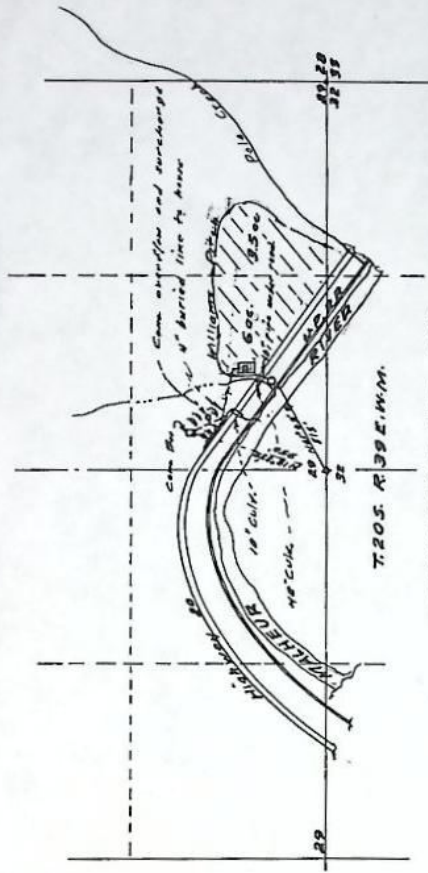
Tiki 41045-278-177L

LIFT 1 + 15

5-24-88

V & Church F.I.

WCM

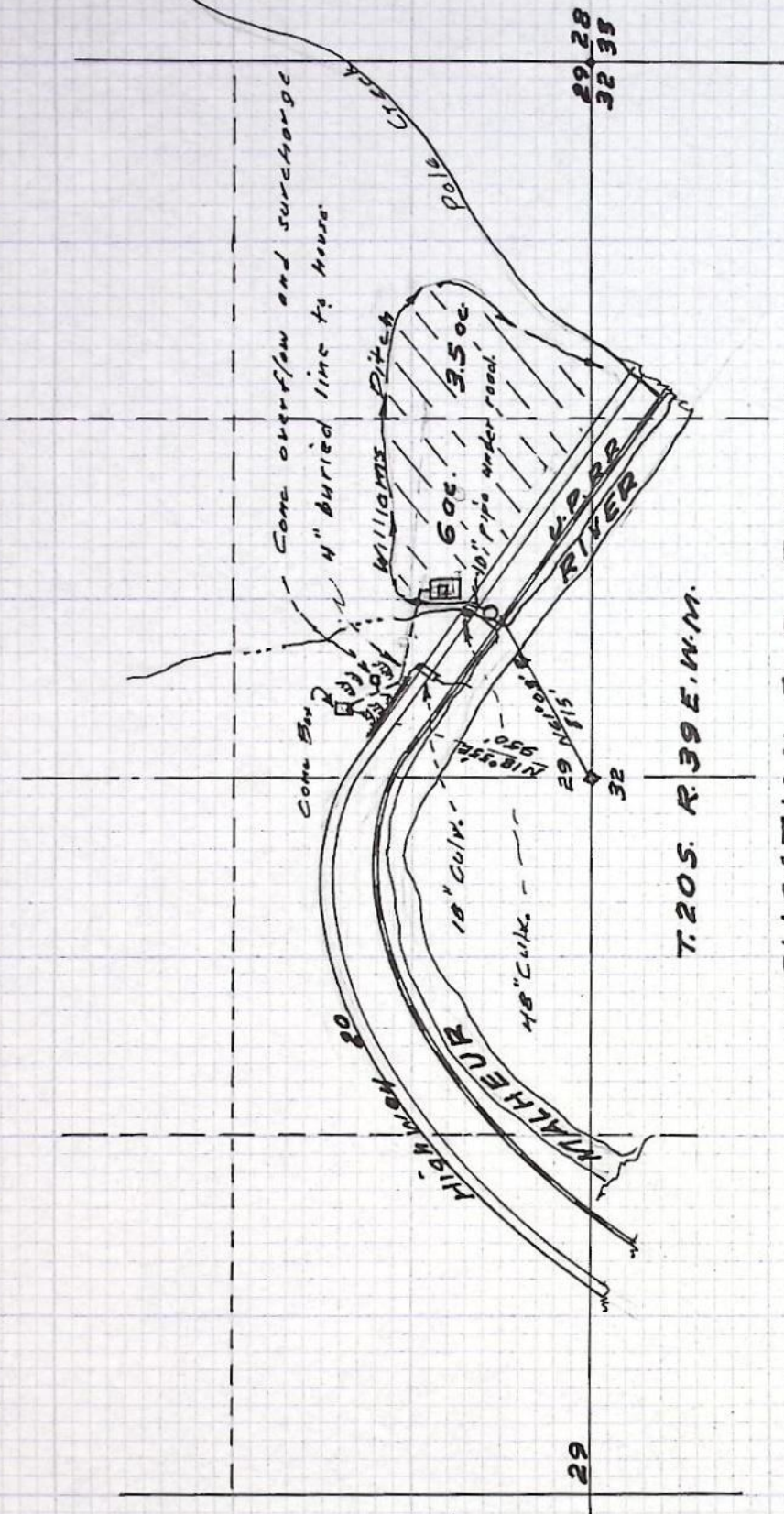


APPLICATION FOR PERMIT
Derry Williams-Vale Dam
Scale 1" = 200'

T-4096

RECEIVED

NOV 27 1978
WATER RESOURCES DEPT.
SALEM, OREGON



T.20S. R.39E.W.4M.

APPLICATION FOR PERMIT
Derry 1 Williams-Vale Ore.
Scale 1" = 660'

T-4096

RECEIVED

NOV 27 1978

WATER RESOURCES DEPT.
SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF THE APPLICATION)
OF DARRYL WILLIAMS FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM MALHEUR RIVER)
- - - - -

ORDER APPROVING
TRANSFER NO. 4096

On November 27, 1978, an application was filed in the office of the Water Resources Director by Darryl Williams 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 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 River for irrigation of a certain 6.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 3.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 20 South, Range 39 East, W.M., with a date of priority of 1906.

Water for the said right is diverted, through the Carter Ditch, from a point located 400 feet North from the Northwest Corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 20 South, Range 39 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 North 61 degrees 03 minutes East, 815 feet from the South Quarter Corner of Section 29, Township 20 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 December 6, 13 and 20, 1978.

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.

11312602

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 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:

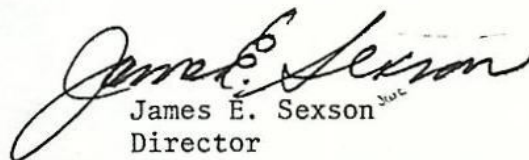
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 certificate of water right recorded at page 6872, 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.

Dated at Salem, Oregon this 29th day of January, 1979.


James E. Sexson
Director

Application for Transfer of Water Right

T-4096

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Darryl Williams (Name of applicant)
of PO Box 834 Ward Cove (Mailing address) (City)
State of Alaska, 99928 (Zip Code), 907-247-2430 (Phone number), do hereby make application for change
in 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? Joe Carter (If not, give name)
2. Was your water right determined by Decree of Court? Yes If so, give title of proceedings
Malheur River Adjo. number of certificate 6872
(Yes or No)
3. Was your water right acquired by Water Right Permit? — If so, give number
of permit — Number of certificate —
(Yes or No)

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 Malheur River
5. What is the date of priority of your water right? 1906
6. The authorized point of diversion is located 400 ft. N (N. or S.) and — ft. — (E. or W.) from the NW corner of NE NW Sec 36 being within the SE 1/4 SW 1/4 of Section 30 Tp. 20 S R. 39 E W. M., (No. N. or S.) (No. E. or W.) in the county of Malheur. The name of the ditch used is Carter Ditch

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

7. The proposed point of diversion is located N 61° 03' E — 815 feet S 1/4 (N. or S.) (E. or W.) from the SE 1/4 corner of Sec 29 being within the SW 1/4 SE 1/4 of Section 29 Tp. 20 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 Pump and William Ditch

8. The use to which the water is applied is
(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 ¼-¼ of Section	Number Acres To Be Irrigated
20S	39E	29	SW¼ SE¼	6
			SE¼ SE¼	3.5

(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 ¼-¼ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are Highway construction

made use of old Carter Ditch impossible

Also 4 ac of SW SE of Sec 29 were

used in Highway construction

15. Construction work will be completed on or before Complete

16. The water will be completely applied to the proposed use on or before July 1980

Remarks A 7 1/2 HP Farm water lift has

been installed - many years ago - Water

is pumped through a 10" pipe under hiway

to a gravity ditch around property. Existing

crops are alfalfa and pasture

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, Darryl Williams, 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 24 day of November, 1978

Darryl Williams
(Name of applicant)

Subscribed and sworn to before me this 24th day of November, 1978

[Notarial Seal]

Judy C. Tardiff
NOTARY PUBLIC FOR OREGON

My commission expires May 10, 1981

MALHEUR R

WRT-0982-01

*** 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. 1000040961 PERMIT NO. 008263 CERTIF. NO.
 ORIG. NO. 0000068721 PREV. NO. 0000068721 SUPER. NO.

NAME: DARRYL WILLIAMS

ADDRESS: PO BOX 836

CITY/STATE/ZIP/COUNTY: WARD COVE, AK 99928 23

STREAM-ID 10 5940

RIV. MI.

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

CANCEL YEAR----

CONSTR. COMPLT--> 10 01 1980

YR. LAST USED-----> _____

NEXT ACTION DUE--> _____

PRIORITY----->

PUT TO USE-----> 10 01 1980

LAST TRANS. DATE--> _____

LAST TRANS. TYPE--> _____

APPLICATION--> 11 27 1978

SURVEYED-----> 05 31 1981

EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE--> 01 29 1979

CONCURRENCE----->

CYCLE STATUS-----> _____

REPORTED FLAG-----> _____

CONSTR. STRT.--> 01 29 1979

CERTIFIED----->

CORRES. INIT.-----> _____

CORRES. DATE-----> _____

 POINT-OF-DIVERSION DATA:
 TWP/SP RGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

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

2005 390E 29 D C 10 5940

0.237

V P

 ** POD: N 61° 03' E, 815' PM 5/4
 ** COR 329. CHANGES POD PART
 ** OF C-6872.

 PLACE-OF-USE DATA:
 TWP/SP RGE SECT QTR/QTR CNTY

USE % CNSMTV ACRES

STATUS S OR P

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

2005 390E 29 D C 23 1R 100 6.00

V P

()) D D |)) 3.50

W.R.I.S.

Assembled 7-8-85 by SDB

Entered _____ by _____

Verified _____ by _____

RECEIVED
OCT 30 1980
WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN
point of diversion from Malheur River

PURSUANT TO TRANSFER APPLICATION NO. 4096

I, Darryl Williams ^{PO Box 836, Ward Cove AK 99928}, 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 Aug, 19 ~~80~~ 79

10-26-80
Date

Darryl Williams
Signature

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

ok
Dy



STATE OF OREGON
WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

TO: Representative Denny Jones

DATE: July 16, 1980

FROM: Chris L. Wheeler

SUBJECT: Malheur Decree

In response to your request, I checked the rights of record listed on the Carter Ditch shown on page 36 of the Malheur River decree.

4.0 of the 10 acres listed in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29
5.0 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
4.0 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31
Township 20 South, Range 39 East, W.M.

have been abandoned.

The remainder of the lands appear of record as valid, but they have had two separate filings for changes in point of diversion requested and approved. Under the terms of both of these orders that development is to be completed on or before October 1, 1980.

If these lands are going to be valid for transfer to other land, some type of tractor mounted or portable pumping ought to be installed this summer to pump into the old ditches so that there would be no questions raised.

The transfers are identified as follows:

No. 4060 was filed on October 3, 1978 in the name of Becker Ranch, Inc., for change in point of diversion from a point located 400 feet north of the NW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 20 South, Range 39 East, W.M. to a point of diversion on the Malheur River located 761 feet south and 1149 feet west from the East quarter corner of Section 31, being in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 20 South, Range 39 East, W.M., for irrigation of

7.5 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
5.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31
7.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
4.5 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
4.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32,

Township 20 South, Range 39 East, W.M.,
with a date of priority of 1906.



Contains
Recycled
Materials

31-125-1387

SP-75683-125

No. 4096 was filed on November 27, 1978 in the name of Darryl Williams for change in point of diversion from a point located 400 feet north from the northwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 20 South, Range 39 East, W.M. to a point of diversion located north 61 degrees, 03 minutes east, 815 feet from the south quarter corner of Section 29, Township 20 South, Range 39 East, W.M., for irrigation of

6.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
3.5 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29,
Township 20 South, Range 39 East, W.M.,

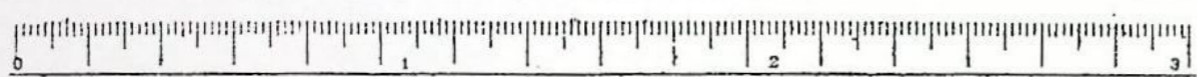
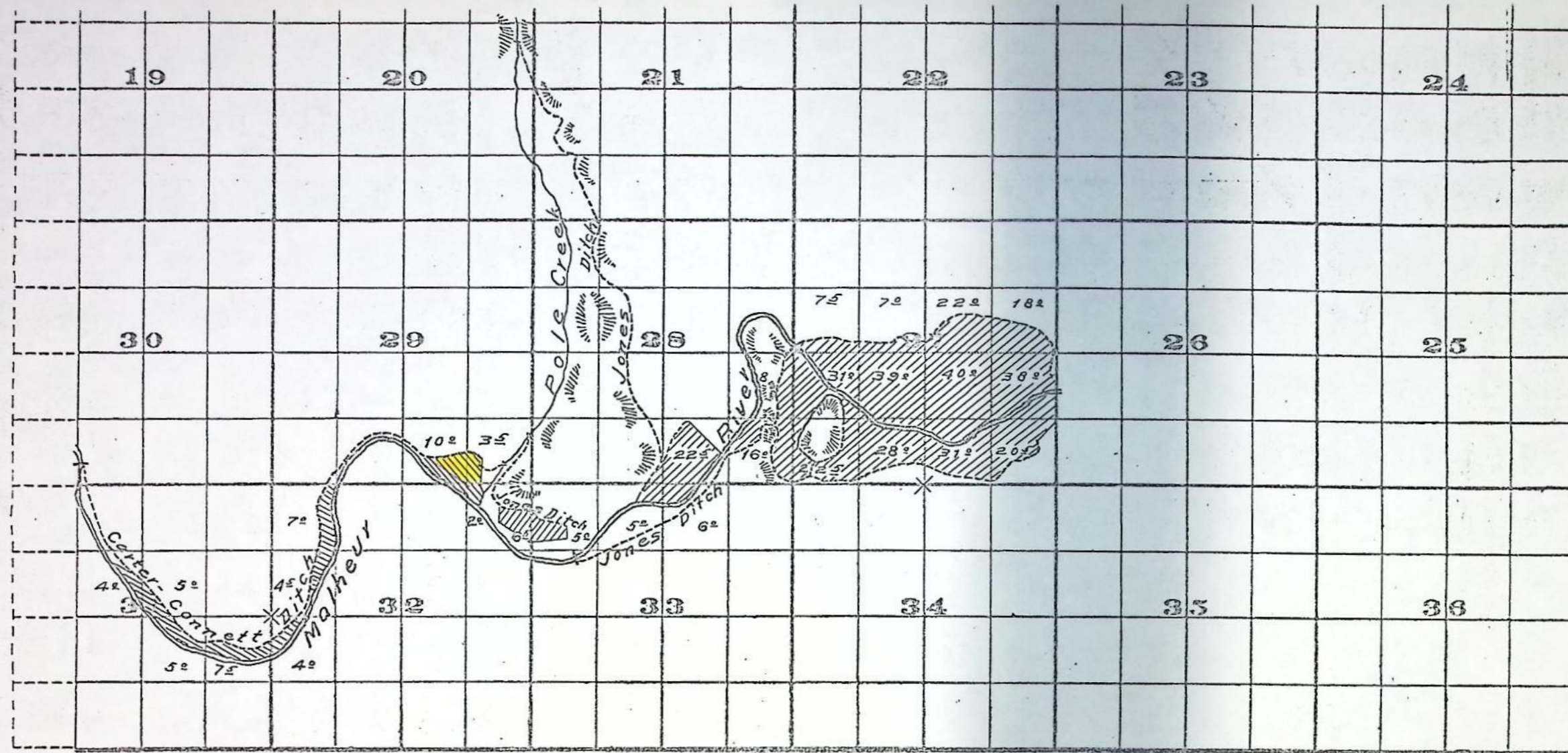
with a date of priority of 1906.

I am enclosing copies of the adjudication map and maps accompanying the transfers, also your copy of the decree.

Name and Postoffice Address of Appropriator	Relative Priority	Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Bush, Ross M. (Continued) 6871 Camman, Fred W. Westfall, Oregon. Thickman	1909		12.5	Irrigation	Stewart	Bully Creek	12.5 acres in NE ¹ NE ¹ Section 25, T. 17 S. R. 39 E. W. M.
	1886		18.5	Irrigation	Camman	Bully Creek	1 acre in NW ¹ NE ¹ 6.5 acres in NE ¹ NW ¹ 11 acres in NW ¹ NW ¹ Section 25, T. 17 S. R. 38 E. W. M.
	1886		8	Irrigation	Camman No. 2	Bully Creek	4 acres in NE ¹ NE ¹ 4 acres in NW ¹ NE ¹ Section 25, T. 17 S. R. 38 E. W. M.
	1886		5	Irrigation	Camman & Prather	Bully Creek	4 acres in NE ¹ NE ¹ 1 acre in NW ¹ NE ¹ Section 25, T. 17 S. R. 38 E. W. M.
6872 Carter, Joe Juntura, Oregon. Thickman T#4060 APOD 25ac (1) T#4096 APOD 25ac (2)	1906		50.5	Irrigation	Carter	Melheur River	5 acres in SW ¹ NE ¹ 4 acres in SE ¹ NW ¹ (1) 7.5 acres in NE ¹ SE ¹ (1) 5 acres in NW ¹ SE ¹ Section 31, (1) 4.5 acres in SW ¹ NW ¹ (1) 7 acres in NW ¹ NW ¹ (1) 4 acres in NW ¹ SW ¹ Section 32, (2) 10 acres in SW ¹ SE ¹ (2) 3.5 acres in SE ¹ SE ¹ Section 29, T. 20 S. R. 39 E. W. M.
6873 Cary, Clarence T. Harriman, Oregon. Lumley	Aug. 20 1884		35.5	Irrigation	Cary	Crane Creek	2 acres in SW ¹ SW ¹ 4.5 acres in SE ¹ SW ¹ Section 2, 8 acres in NE ¹ SE ¹ 21 acres in SE ¹ SE ¹ Section 10, T. 25 S. R. 34 E. W. M.
	1887		62.5	Irrigation	Cary	Crane Creek	19.5 acres in NW ¹ NW ¹ 19 acres in SW ¹ NW ¹ 13 acres in NW ¹ SW ¹ 11 acres in SW ¹ SW ¹ Section 11, T. 25 S. R. 34 E. W. M.
	1908		12.5	Irrigation	Cary 1, 2, & 3	Crane Creek	8 acres in NE ¹ SW ¹ 4.5 acres in NW ¹ SE ¹ Section 2, T. 25 S. R. 34 E. W. M.
6874 Cary, Harry Venator, Oregon. Lumley	1890		31.5	Irrigation	Venator	Deadman Creek	6 acres in NW ¹ NW ¹ 20 acres in SW ¹ NW ¹ 4 acres in SE ¹ NW ¹ 1.5 acres in NE ¹ SW ¹ Section 27, T. 26 S. R. 36 E. W. M.
6875 Caviness, Rose Westfall, Oregon. Thickman	1905		25	Irrigation	Rose's	Deep Creek	10 acres in SW ¹ SE ¹ Section 23, 15 acres in NW ¹ NE ¹ Section 26, T. 16 S. R. 40 E. W. M.

MALHEUR RIVER -COURT- -36-

Vol 3 Page 263



- Legend —
- Streams
 - Ditches
 - Corners Located
 - Irrigated Area

Surveyed July, 1913.

FROM OFFICE OF THE STATE ENGINEER, MALEM, OREGON

Adjudication Survey

Malheur River
and
Tributaries



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: 11/28/, 1978.FROM: ** Frank Elfering, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4096IN THE NAME OF Darryl Williams

In my opinion the proposed change in point of diversion from Malheur River
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.

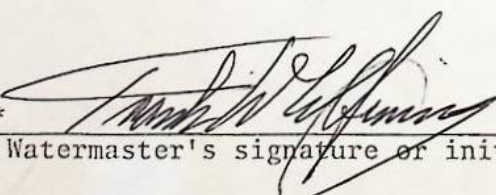
If for change in point of diversion, is there any intervening point of diversion
between the authorized and the proposed points of diversion? NO
(yes or no)

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 . . .
✓ ____ (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 December 20 19 78

TO MALHEUR ENTERPRISE, Dr.

To publishing attached Legal Notice In 3 issues \$ 31.36

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 6th day of December, 19 78

and ending with the issue dated the 20th day of December, 19 78
That the amount of charge actually made and to be collected for such newspaper for such publication is \$ 31.36

Warren G. Auyer
Foreman Publisher of the Printers

Subscribed and sworn to before me this 20th day of Dec., 19 78

Gordon Auyer
Notary Public for Oregon

My commission expires August 11, 19 82

Legal notices

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4096

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Darryl Williams 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 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 River for irrigation of a certain 6.0 ac in SW 1/4 SE 1/4 & 3.5 ac in SE 1/4 SE 1/4 of Sec 29, T 20S, R 39E, WM, with a date of priority of 1906.

Water for the said right is diverted, through the Carter Ditch, from a point located 400 ft N from the NW Corner of the NE 1/4 NW 1/4 of Sec 31, being within the SE 1/4 SW 1/4 of Sec 30, T 20S, R 39E, WM.

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 N 61° 03'E, 815 ft from the S 1/4 Corner of Sec 29, T 20S, R 39E, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Vale, Oregon, on January 25, 1979, 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 Darryl Williams, PO Box 836, Ward Cove, Alaska 99928; and one copy filed with the Water Resources Department, Salem, OR 97310, together with a \$10 filing fee,