

4127 Cheney

Name David Cheney

4127

By _____

Address Cecil Star RouteJane, OR 97843

Change in PODDate filed Jan 15, 1979Date of hearing May 3, 1979Place of hearing Heppner✓ Date of order 5-22-79 Vol. 32, page 129Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued JUL 3 1979 Vol. 41, page 48297AUG 27 19854853378

Notation made on record by _____

DESCRIPTION OF WATER RIGHT

Name of stream Willow CreekTrib. of _____ County of Morrow

Use _____

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 1892 & 1906In name of Wm. B. EwingWillow Creek Adjudication, Vol. 1, page 22App. No. _____ Per. No. _____ Cert. No. 138

Certificate cancelled _____

FEES PAID

Date	Amount	Receipt No.
<u>1-15-79</u>	<u>35-</u>	<u>8497</u>
TOTAL . . .		
<u>4-13-79</u>	<u>2 Cert. Fee</u>	<u>Trsf fr 1725 (T3911)</u>

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Surveyed 3/79See T.3911 for report, A#6-5515 for F.P. mapT-2790/Temp A POU/APOA spo U-55 p844

W.R.I.S.

Assembled 4-12-83 by SP

Entered _____ by _____

Verified _____ by _____

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

CCB

PRIORITY SPLIT IN T#4127 DICTATED BY T# T-39

STATE OF OREGON

COUNTY OF MORROW

ORDER APPROVING A TEMPORARY CHANGE IN PLACE OF USE
AND ADDITIONAL POINTS OF APPROPRIATION

Pursuant to ORS 540.523, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TEMPORARY TRANSFER 8790 submitted by

DIAMOND PROPERTIES INVESTMENT CO., LLC
AND CRICKET FLAT DEVELOPMENT CO., LLC
HCR 78
IONE, OREGON 97843.

ATTACHMENT I

1) Certificate 53377; Willow Creek Decree (Vol 1, Page 73):
Irrigation; Priority Date - 1897; Authorized Source - Willow
Creek

Authorized Point of Diversion

NE¼ NE¼, Section 7, T 2 N, R 23 E, W.M.; 930 Feet South and 470
Feet West from the NE Corner, Section 7

This is an 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 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

2) Certificate 44992; Permit G-4050: Supplemental Irrigation;
Priority Date - March 27, 1968; Authorized Source - Cheney Well 2

Authorized Point of Appropriation

Cheney Well 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 170
Feet North and 130 Feet West from the E $\frac{1}{4}$ Corner, Section 17

Additional Points of Appropriation

Hynd Well 1 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 1950 Feet
South and 4820 Feet East from the W $\frac{1}{4}$ Corner, Section 17

Hynd Well 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$; Section 20, T 2 N, R 23 E, W.M.; 3950 Feet
South and 4920 Feet East from the W $\frac{1}{4}$ Corner, Section 17

New Well - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T 2 N, R 23 E, W.M.; 1000 Feet
North and 1600 Feet East from the Center, Section 20

3) Certificate 74191; Permit G-10135: Supplemental Irrigation;
Priority Date - April 4, 1983; Authorized Source - Cheney Wells 1
and 2

Authorized Points of Appropriation

Cheney Well 1 - SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T 2 N, R 23 E, W.M.; 2440
Feet South and 240 Feet East from the NW Corner, Section 8

Cheney Well 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 170
Feet North and 2370 Feet East from the Center $\frac{1}{4}$ Corner, Section 7

Additional Points of Appropriation

Hynd Well 1 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 1950 Feet
South and 4820 Feet East from the W $\frac{1}{4}$ Corner, Section 17

New Well - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T 2 N, R 23 E, W.M.; 1000 Feet
North and 1600 Feet East from the Center, Section 20

FROM LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
53377, 44992 & 74191	2N	23E	8	SESW	1401	1897, 3/27/1968 & 4/4/1983	IRRIG & SUPP	8.8

TO LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
53377, 44992 & 74191	2N	23E	18	NESW	2100	1897, 3/27/1968 & 4/4/1983	IRRIG & SUPP	8.8

ATTACHMENT II

1) Certificate 38828; Permit G-4021: Irrigation; Priority Date - March 8, 1968; Authorized Source - Hynd Well 2

Authorized Point of Appropriation

Hynd Well 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T 2 N, R 23 E, W.M.; 3950 Feet South and 4920 Feet East from the W $\frac{1}{4}$ Corner, Section 17

Additional Points of Appropriation

Cheney Well 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, T 2 N, R 23, E, W.M.; 170 Feet North and 2370 Feet East from the Center, Section 17

Hynd Well 1 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 1950 Feet South and 4820 Feet East from the W $\frac{1}{4}$ Corner, Section 17

New Well - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T 2 N, R 23 E, W.M.; 1000 Feet North and 1600 Feet East from the Center, Section 20

FROM LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
38828	2N	23E	17	SWSE	1602	3/8/1968	IRRIG	1.0
38828	2N	23E	20	NWNE	1602	3/8/1968	IRRIG	15.1

TO LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
38828	2N	23E	18	NESW	2100	3/8/1968	IRRIG	13.3
38828	2N	23E	18	SESW	2100	3/8/1968	IRRIG	2.8

ATTACHMENT III

1) Certificate 74191; Permit G-10135: Irrigation; Priority Date - April 4, 1983; Authorized Source - Cheney Wells 1 and 2

Authorized Point of Appropriation

Cheney Well 1 - SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T 2 N, R 23 E, W.M.; 2440 Feet South and 240 Feet East from the NW Corner, Section 8

Cheney Well 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, T 2 N, R 23, E, W.M.; 170 Feet North and 2370 Feet East from the Center, Section 17

Additional Points of Appropriation

Hynd Well 1 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 1950 Feet South and 4820 Feet East from the W $\frac{1}{4}$ Corner, Section 17

New Well - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T 2 N, R 23 E, W.M.; 1000 Feet North and 1600 Feet East from the Center, Section 20

FROM LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
74191	2N	23E	7	SESW	2101	4/4/1983	IRRIG	3.0
74191	2N	23E	7	SWSE	2101	4/4/1983	IRRIG	1.7
74191	2N	23E	8	SWNW	1201	4/4/1983	IRRIG	9.8
74191	2N	23E	8	NWSW	1201	4/4/1983	IRRIG	3.2
74191	2N	23E	8	NWSW	1401	4/4/1983	IRRIG	0.6
74191	2N	23E	8	SWSE	1401	4/4/1983	IRRIG	1.2
74191	2N	23E	18	NENE	2101	4/4/1983	IRRIG	2.0
74191	2N	23E	18	NWNE	2101	4/4/1983	IRRIG	3.05
74191	2N	23E	18	SWNE	2101	4/4/1983	IRRIG	2.2
74191	2N	23E	18	SENE	2101	4/4/1983	IRRIG	14.4
74191	2N	23E	18	NENW	2101	4/4/1983	IRRIG	0.2
74191	2N	23E	18	NWNW	2101	4/4/1983	IRRIG	2.8
74191	2N	23E	18	SWNW	2101	4/4/1983	IRRIG	0.3
74191	2N	23E	18	SENW	2101	4/4/1983	IRRIG	3.0
74191	2N	23E	18	NESE	2201	4/4/1983	IRRIG	15.2
74191	2N	23E	18	SESE	2201	4/4/1983	IRRIG	14.9

TO LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
74191	2N	23E	7	NESW	1300	4/4/1983	IRRIG	19.3
74191	2N	23E	7	NWSE	1300	4/4/1983	IRRIG	16.4

74191	2N	23E	7	SWSE	1300	4/4/1983	IRRIG	15.8
74191	2N	23E	18	NESW	2100	4/4/1983	IRRIG	3.25
74191	2N	23E	18	SWSE	2200	4/4/1983	IRRIG	13.9
74191	2N	23E	18	SESE	2201	4/4/1983	IRRIG	0.6
74191	2N	23E	19	NENE	1602	4/4/1983	IRRIG	1.0
74191	2N	23E	19	NWNE	1602	4/4/1983	IRRIG	7.3

ATTACHMENT IV

1) Certificate 76075; Willow Creek Decree (Vol 1, Page 73):
Irrigation; Priority Date - 1892 and 1906; Authorized Source -
Willow Creek

Authorized Point of Diversion

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, T 2 N, R 23 E, W.M.; 950 Feet South and 550
Feet West from the NE Corner, Section 7

2) Certificate 74191; Permit G-10135: Supplemental Irrigation;
Priority Date - April 4, 1983; Authorized Source - Cheney Wells 1
and 2

Authorized Points of Appropriation

Cheney Well 1 - SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T 2 N, R 23 E, W.M.; 2440
Feet South and 240 Feet East from the NW Corner, Section 8

Cheney Well 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 170
Feet North and 2370 Feet East from the Center $\frac{1}{4}$ Corner, Section 7

Additional Points of Appropriation

Hynd Well 1 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 1950 Feet South and 4820 Feet East from the W $\frac{1}{4}$ Corner, Section 17

New Well - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T 2 N, R 23 E, W.M.; 1000 Feet North and 1600 Feet East from the Center, Section 20

FROM LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
76075 & 74191	2N	23E	7	NENE	1201	1892 & 1906	IRRIG & SUPP	20.5
76075 & 74191	2N	23E	7	SENE	1201	1892 & 1906	IRRIG & SUPP	18.23
76075 & 74191	2N	23E	7	SENE	1201	1892 & 1906	IRRIG & SUPP	2.27
76075 & 74191	2N	23E	7	NESE	1201	1892 & 1906	IRRIG & SUPP	12.4
76075 & 74191	2N	23E	7	SESE	1401	1892 & 1906	IRRIG & SUPP	3.7
76075 & 74191	2N	23E	8	NWSW	1201	1892 & 1906	IRRIG & SUPP	2.2

TO LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
76075 & 74191	2N	23E	7	SWNE	1300	1892 & 1906	IRRIG & SUPP	15.4
76075 & 74191	2N	23E	7	SWNE	1300	1892 & 1906	IRRIG & SUPP	9.4

76075 & 74191	2N	23E	7	SESW	1300	1892 & 1906	IRRIG & SUPP	4.6
76075 & 74191	2N	23E	7	SESW	1300	1892 & 1906	IRRIG & SUPP	3.5
76075 & 74191	2N	23E	7	NESW	1300	1892 & 1906	IRRIG & SUPP	1.1
76075 & 74191	2N	23E	7	NWSE	1300	1892 & 1906	IRRIG & SUPP	6.57
76075 & 74191	2N	23E	7	SESW	1300	1892 & 1906	IRRIG & SUPP	18.73

ATTACHMENT V

1) Certificate 53379; Willow Creek Decree (Vol 1, Page 73):
Irrigation; Priority Date - 1892; Authorized Source - Willow
Creek

Authorized Point of Diversion

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, T 2 N, R 23 E, W.M.; 930 Feet South and 470
Feet West from the NE Corner, Section 7

2) Certificate 44992; Permit G-4050: Supplemental Irrigation;
Priority Date - March 27, 1968; Authorized Source - Cheney Well 2

Authorized Point of Appropriation

Cheney Well 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 170
Feet North and 130 Feet West from the E $\frac{1}{4}$ Corner, Section 17

Additional Points of Appropriation

Hynd Well 1 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 1950 Feet South and 4820 Feet East from the W $\frac{1}{4}$ Corner, Section 17

New Well - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T 2 N, R 23 E, W.M.; 1000 Feet North and 1600 Feet East from the Center, Section 20

3) Certificate 74191; Permit G-10135: Supplemental Irrigation; Priority Date - April 4, 1983; Authorized Source - Cheney Wells 1 and 2

Authorized Points of Appropriation

Cheney Well 1 - SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T 2 N, R 23 E, W.M.; 2440 Feet South and 240 Feet East from the NW Corner, Section 8

Cheney Well 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 170 Feet North and 2370 Feet East from the Center $\frac{1}{4}$ Corner, Section 7

Additional Points of Appropriation

Hynd Well 1 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 1950 Feet South and 4820 Feet East from the W $\frac{1}{4}$ Corner, Section 17

New Well - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T 2 N, R 23 E, W.M.; 1000 Feet North and 1600 Feet East from the Center, Section 20

FROM LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
53379, 44992 & 74191	2N	23E	8	SWSW	1401	1892, 3/27/1968 & 4/4/1983	IRRIG & SUPP	6.3

53379, 44992 & 74191	2N	23E	17	SENE	1401	1892, 3/27/1968 & 4/4/1983	IRRIG & SUPP	7.6
53379, 44992 & 74191	2N	23E	17	NWNW	1401	1892, 3/27/1968 & 4/4/1983	IRRIG & SUPP	7.8

TO LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
53379, 44992 & 74191	2N	23E	19	NWNE	1602	1892, 3/27/1968 & 4/4/1983	IRRIG & SUPP	12.8
53379, 44992 & 74191	2N	23E	19	SWNE	1602	1892, 3/27/1968 & 4/4/1983	IRRIG & SUPP	4.0
53379, 44992 & 74191	2N	23E	19	NENW	1602	1892, 3/27/1968 & 4/4/1983	IRRIG & SUPP	1.8
53379, 44992 & 74191	2N	23E	19	SENE	1602	1892, 3/27/1968 & 4/4/1983	IRRIG & SUPP	0.8
53379, 44992 & 74191	2N	23E	17	NENW	1401	1892, 3/27/1968 & 4/4/1983	IRRIG & SUPP	1.1
53379, 44992 & 74191	2N	23E	17	NWNW	1401	1892, 3/27/1968 & 4/4/1983	IRRIG & SUPP	0.4
53379, 44992 & 74191	2N	23E	17	SENE	1401	1892, 3/27/1968 & 4/4/1983	IRRIG & SUPP	0.8

ATTACHMENT VI

1) Certificate 53378; Willow Creek Decree (Vol 1, Page 73):
Irrigation; Priority Date - 1892 AND 1906; Authorized Source -
Willow Creek

Authorized Point of Diversion

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, T 2 N, R 23 E, W.M.; 950 Feet South and 470
Feet West from the NE Corner, Section 7

2) Certificate 44992; Permit G-4050: Supplemental Irrigation;
Priority Date - March 27, 1968; Authorized Source - Cheney Well 2

Authorized Point of Appropriation

Cheney Well 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 170
Feet North and 130 Feet West from the E $\frac{1}{4}$ Corner, Section 17

Additional Points of Appropriation

Hynd Well 1 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 1950 Feet
South and 4820 Feet East from the W $\frac{1}{4}$ Corner, Section 17

New Well - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T 2 N, R 23 E, W.M.; 1000 Feet
North and 1600 Feet East from the Center, Section 20

3) Certificate 74191; Permit G-10135: Supplemental Irrigation;
Priority Date - April 4, 1983; Authorized Source - Cheney Wells 1
and 2

Authorized Points of Appropriation

Cheney Well 1 - SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T 2 N, R 23 E, W.M.; 2440
Feet South and 240 Feet East from the NW Corner, Section 8

Cheney Well 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 170
Feet North and 2370 Feet East from the Center $\frac{1}{4}$ Corner, Section 7

Additional Points of Appropriation

Hynd Well 1 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 1950 Feet South and 4820 Feet East from the W $\frac{1}{4}$ Corner, Section 17

New Well - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T 2 N, R 23 E, W.M.; 1000 Feet North and 1600 Feet East from the Center, Section 20

FROM LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
53378, 44992 & 74191	2N	23E	17	NENE	1401	1892/1906, 3/27/1968 & 4/4/1983	IRRIG & SUPP	2.5
53378, 44992 & 74191	2N	23E	17	NWNE	1401	1892/1906, 3/27/1968 & 4/4/1983	IRRIG & SUPP	6.5
53378, 44992 & 74191	2N	23E	17	SWNE	1401	1892/1906, 3/27/1968 & 4/4/1983	IRRIG & SUPP	12.5
53378, 44992 & 74191	2N	23E	17	SENE	1401	1892/1906, 3/27/1968 & 4/4/1983	IRRIG & SUPP	0.5
53378, 44992 & 74191	2N	23E	17	NENW	1401	1892/1906, 3/27/1968 & 4/4/1983	IRRIG & SUPP	6.5

TO LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
53378, 44992 & 74191	2N	23E	18	NESW	2100	1892/1906, 3/27/1968 & 4/4/1983	IRRIG & SUPP	0.3

53378, 44992 & 74191	2N	23E	18	NESW	2100	1892/1906, 3/27/1968 & 4/4/1983	IRRIG & SUPP	4.5
53378, 44992 & 74191	2N	23E	18	SESW	2100	1892/1906, 3/27/1968 & 4/4/1983	IRRIG & SUPP	2.0
53378, 44992 & 74191	2N	23E	18	NWSE	2200	1892/1906, 3/27/1968 & 4/4/1983	IRRIG & SUPP	9.2
53378, 44992 & 74191	2N	23E	18	NWSE	2200	1892/1906, 3/27/1968 & 4/4/1983	IRRIG & SUPP	10.4
53378, 44992 & 74191	2N	23E	18	SWSE	2200	1892/1906, 3/27/1968 & 4/4/1983	IRRIG & SUPP	2.1

ATTACHMENT VII

1) Certificate 76583; Willow Creek Decree (Vol 1, Page 73):
Irrigation; Priority Date - 1894; Authorized Source - Willow
Creek

Authorized Point of Diversion

SE¼ SE¼, Section 20, T 2 N, R 23 E, W.M.; 1756 Feet South and
1115 Feet West from the NE Corner, Section 20

2) Certificate 38827; Permit G-2707: Supplemental Irrigation;
Priority Date - June 8, 1964; Authorized Source - Hynd Well 1

Authorized Point of Appropriation

Hynd Well 1 - SE¼ SE¼, Section 17, T 2 N, R 23 E, W.M.; 1950 Feet
South and 4820 Feet East from the W¼ Corner, Section 17

Additional Points of Appropriation

Cheney Well 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 170 Feet North and 2370 Feet East from the Center $\frac{1}{4}$ Corner, Section 7

New Well - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T 2 N, R 23 E, W.M.; 1000 Feet North and 1600 Feet East from the Center, Section 20

3) Certificate 38828; Permit G-4021: Supplemental Irrigation; Priority Date - March 8, 1968; Authorized Source - Hynd Well 2

Authorized Points of Appropriation

Hynd Well 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T 2 N, R 23 E, W.M.; 3950 Feet South and 4920 Feet East from the W $\frac{1}{4}$ Corner, Section 17

Additional Points of Appropriation

Hynd Well 1 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 1950 Feet South and 4820 Feet East from the W $\frac{1}{4}$ Corner, Section 17

Cheney Well 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 170 Feet North and 2370 Feet East from the Center $\frac{1}{4}$ Corner, Section 7

New Well - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T 2 N, R 23 E, W.M.; 1000 Feet North and 1600 Feet East from the Center, Section 20

FROM LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
76583, 38827 & 38828	2N	23E	17	SWSE	1602	1894, 6/8/1964 & 3/8/1968	IRRIG & SUPP	4.9

76583, 38827 & 38828	2N	23E	17	SESE	1602	1894, 6/8/1964 & 3/8/1968	IRRIG & SUPP	6.5
76583, 38827 & 38828	2N	23E	20	NENE	1602	1894, 6/8/1964 & 3/8/1968	IRRIG & SUPP	15.35
76583, 38827 & 38828	2N	23E	20	NWNE	1600	1894, 6/8/1964 & 3/8/1968	IRRIG & SUPP	14.9

TO LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
76583, 38827 & 38828	2N	23E	18	SESW	2200	1894, 6/8/1964 & 3/8/1968	IRRIG & SUPP	8.5
76583, 38827 & 38828	2N	23E	18	SWSE	2200	1894, 6/8/1964 & 3/8/1968	IRRIG & SUPP	7.5
76583, 38827 & 38828	2N	23E	19	NWNE	1602	1894, 6/8/1964 & 3/8/1968	IRRIG & SUPP	5.1
76583, 38827 & 38828	2N	23E	19	NENW	1602	1894, 6/8/1964 & 3/8/1968	IRRIG & SUPP	20.55

ATTACHMENT VIII

1) Certificate 76582; Willow Creek Decree (Vol 1, Page 73):
Irrigation; Priority Date - 1903; Authorized Source - Willow
Creek

Authorized Point of Diversion

SE¼ NE¼, Section 20, T 2 N, R 23 E, W.M.; 1756 Feet South and 1115 Feet West from the NE Corner, Section 20

2) Certificate 38828; Permit G-4021: Supplemental Irrigation; Priority Date - March 8, 1968; Authorized Source - Hynd Well 2

Authorized Points of Appropriation

Hynd Well 2 - SE¼ NE¼, Section 20, T 2 N, R 23 E, W.M.; 3950 Feet South and 4920 Feet East from the W¼ Corner, Section 17

Additional Points of Appropriation

Hynd Well 1 - SE¼ SE¼, Section 17, T 2 N, R 23 E, W.M.; 1950 Feet South and 4820 Feet East from the W¼ Corner, Section 17

Cheney Well 2 - SE¼ NE¼, Section 17, T 2 N, R 23 E, W.M.; 170 Feet North and 2370 Feet East from the Center ¼ Corner, Section 7

New Well - SE¼ NE¼, Section 20, T 2 N, R 23 E, W.M.; 1000 Feet North and 1600 Feet East from the Center, Section 20

FROM LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
76582 & 38828	2N	23E	20	SENE	1602	1903 & 3/8/1968	IRRIG & SUPP	10.0

TO LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
76582 & 38828	2N	23E	19	NENE	1602	1903 & 3/8/1968	IRRIG & SUPP	2.7

76582 & 38828	2N	23E	19	NWNE	1602	1903 & 3/8/1968	IRRIG & SUPP	7.3
------------------	----	-----	----	------	------	--------------------	-----------------	-----

ATTACHMENT IX

1) Certificate 76583; Willow Creek Decree (Vol 1, Page 73):
Irrigation; Priority Date - 1894; Authorized Source - Willow
Creek

Authorized Point of Diversion

SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T 2 N, R 23 E, W.M.; 1756 Feet South and
1115 Feet West from the NE Corner, Section 20

2) Certificate 38827; Permit G-2702: Supplemental Irrigation;
Priority Date - June 8, 1964; Authorized Source - Hynd Well 1

Authorized Point of Appropriation

Hynd Well 1 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 1950 Feet
South and 4820 Feet East from the W $\frac{1}{4}$ Corner, Section 17

Additional Points of Appropriation

Cheney Well 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, T 2 N, R 23 E, W.M.; 170
Feet North and 2370 Feet East from the Center $\frac{1}{4}$ Corner, Section 7

New Well - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, T 2 N, R 23 E, W.M.; 1000 Feet
North and 1600 Feet East from the Center, Section 20

FROM LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
76583 & 38827	2N	23E	17	NESE	1602	1894 & 6/8/1964	IRRIG & SUPP	1.9

76583 & 38827	2N	23E	17	NWSE	1602	1894 & 6/8/1964	IRRIG & SUPP	18.5
76583 & 38827	2N	23E	17	SWSE	1602	1894 & 6/8/1964	IRRIG & SUPP	7.2
76583 & 38827	2N	23E	17	SESE	1602	1894 & 6/8/1964	IRRIG & SUPP	11.8

TO LANDS								
W/R#	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
76583 & 38827	2N	23E	18	SWNE	2101	1894 & 6/8/1964	IRRIG & SUPP	6.4
76583 & 38827	2N	23E	18	SENE	2101	1894 & 6/8/1964	IRRIG & SUPP	11.4
76583 & 38827	2N	23E	18	NESW	2100	1894 & 6/8/1964	IRRIG & SUPP	8.5
76583 & 38827	2N	23E	18	NWSE	2200	1894 & 6/8/1964	IRRIG & SUPP	6.1
76583 & 38827	2N	23E	19	NWNE	1602	1894 & 6/8/1964	IRRIG & SUPP	6.9
76583 & 38827	2N	23E	19	SWNE	1602	1894 & 6/8/1964	IRRIG & SUPP	0.1

THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

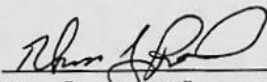
1. These changes are temporary. These changes shall be effective upon issuance of this order.
2. The former places of use shall not be irrigated as part of these water rights during the 2001, 2002, 2003, 2004 and 2005 irrigation seasons.

3. The use shall revert to the authorized places of use at the end of the 2005 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. The water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
6. The water user shall report monthly to the Ground Water Section both the rate and total volume of water used from each well and stream point of diversion involved in this transfer. The method for measuring and computing water use shall be consistent with ORS 690-85-015.

In addition, the water user shall measure and report monthly to the Ground Water Section both the static water levels and pumping water levels for each of the wells involved in this transfer.

WITNESS the signature of the Water Resources

Director, affixed AUG 09 2001.


for Paul R. Cleary, Director

STATE OF OREGON

COUNTY OF

MORROW

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

DAVID CHENEY

of Cecil Star Route, Ione, State of Oregon 97843, has
a right to the use of the waters of Willow Creek

a tributary of Columbia River for the purpose of
irrigation of 150.0 acres and domestic (stock) use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Morrow County, and the said decree entered of record at Salem, in the Order Record of
the WATER RESOURCES DIRECTOR, in Volume 1, at page 73; that the priority of the
right thereby confirmed dates from 1884 for domestic (stock) use, from 1892 for the
irrigation of 84.73 acres, and from 1906 for the irrigation of 65.27 acres.
that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 1.41 cubic feet
per second as of date 1892 and 1.09 cubic feet per second as of date 1906, if
available at the original point of diversion as described below, (Ewing,
Highline, Desertland, Kirtzler, Underground and Murphy Ditches).

The point of diversion is located in the NE 1/4 NE 1/4, Section 20; NE 1/4 SE 1/4,
Section 29; SW 1/4 NE 1/4, Section 17; NE 1/4 SE 1/4, Section 7; NE 1/4
NE 1/4, Section 7 (Additional Point of Diversion); 1160 feet South and 1000
feet West from NE Corner, Section 20; 3800 feet South and 40 feet West from NE*
A description of the place of use under the right, and to which such right is appurtenant, is as
follows:

*Corner, Section 29; 2600 feet South and 1980 feet West from NE Corner,
Section 17, 2920 feet South and 560 feet West from NE Corner, Section 7; 930
feet South and 470 feet West from NE Corner, Section 7, T2N, R23E, WM.

SEE NEXT PAGE

TEMP V51 P439

Temp
T-7924

T7722

T7637

T7639

4.5 acres SW 1/4 SW 1/4
Section 8
9.0 acres NE 1/4 NE 1/4
39.0 acres NW 1/4 NE 1/4
32.0 acres SW 1/4 NE 1/4
16.0 acres SE 1/4 NE 1/4
35.5 acres NE 1/4 NW 1/4
14.0 acres SE 1/4 NW 1/4
Section 17
Township 2 North, Range 23 East, WM

This certificate is issued to confirm the additional point of diversion approved by an order of the Water Resources Director entered May 22, 1979, and together with certificate of water right recorded at page 48297, Volume 41, State Record of Water Right Certificates, supersedes Certificate 138.

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.

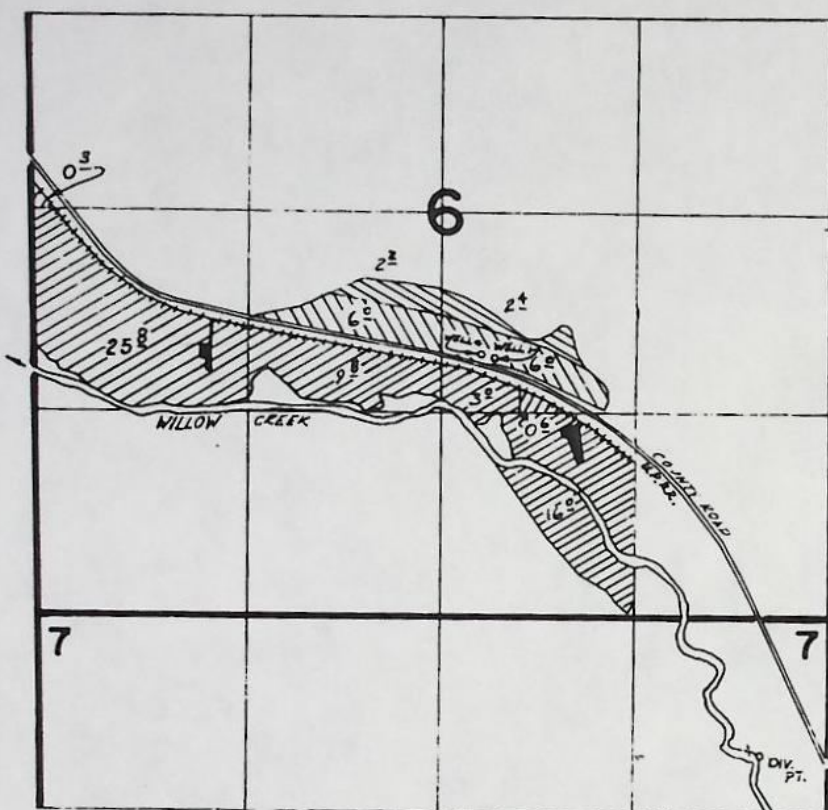
WITNESS the signature of the Water Resources Director, affixed

this date August 27, 19 85 .

Superseded by
Cert. No. 75806

...../s/..... William H. Young
Water Resources Director

T. 2N. R. 23E. W. M.



DIV. PT. LOC. 930'S & 470'W FROM NE COR SEC 7
WELL 1 LOC. 1750'N & 2300'W FROM SE COR SEC 6
WELL 4 LOC. 1770'N & 2390'W FROM SE COR SEC 6



WELL 1 PRI
PER G-5192
WELL 4 SUPP'L
PER G-5879



WELL 4 PRI
PER G-5879



SUPP'L
PER. G-5879



PRI
G-5879

FINAL PROOF SURVEY UNDER

TRANSFER 3911, 4127, 4128

G-5515

G-5192

Application No. G-6232 Permit No. G-5879

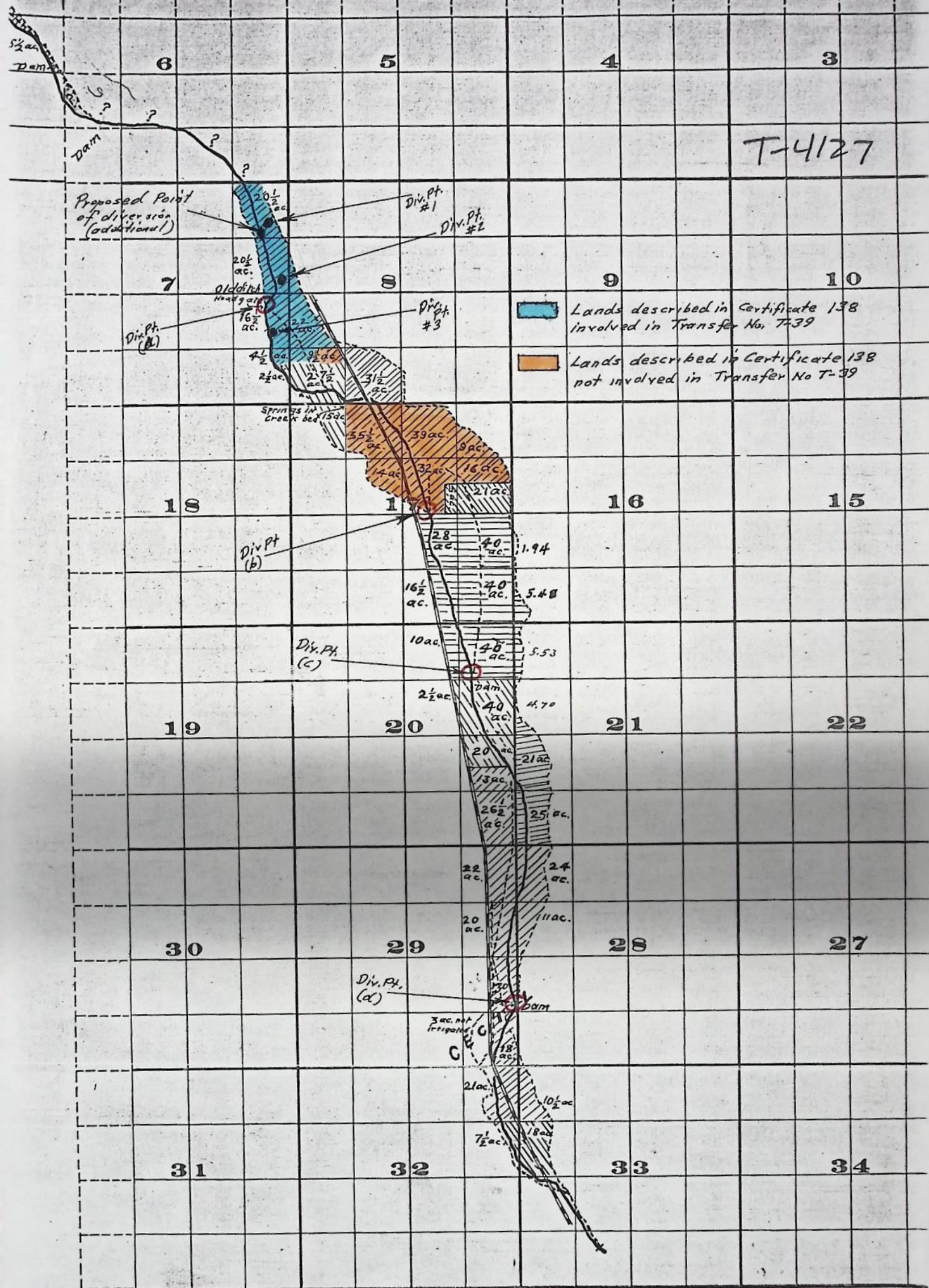
IN NAME OF

DAVID CHENEY

Surveyed 8-11-1977, by W. Church

T. 2 N., R. 23 E., W. 1 M.

T-4127



THE S.A. BRISTOL CO., PRINTERS & BOOKBINDERS, CHEYENNE, WYO

Surveyed by H.K. Donnelly July 1909.

John H. Lewis - State Engineer.

Examined July 14, 1909.

STATE OF OREGON

COUNTY OF *Morrow*

CERTIFICATE OF WATER RIGHT

This Is to Certify, That *David Cheney*of *Cecil Star Route Zone*, State of Oregon, has
a right to the use of the waters of *Willow Creek*a tributary of *Columbia River* for the purpose of*irrigation of 89.0 acres and domestic use (stock use)*

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for *Morrow* County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume *1*, at page *73*; that the priority of the right thereby confirmed dates from *1884* for domestic (stock use); ~~from 1892 for irrigation of 50.27 acres; and from 1906 for irrigation of 38.73 acres,~~ 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 *0.84* cubic foot per second as of date *1892* and *0.65* cubic foot per second as of date *1906*.

The point of diversion is located in the ~~(three points) *1- NE $\frac{1}{4}$ NE $\frac{1}{4}$, *2- SE $\frac{1}{4}$ NE $\frac{1}{4}$, and *3- NE $\frac{1}{4}$ SE $\frac{1}{4}$, all being in~~ Section 7 Tp. 2 N., R. 23 E., W. 1 M.

- No. 1. - 950 feet South and 550 feet West, ~~from the Northeast corner of Section 7, and being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 7, Township 2 North, Range 23 East, W. 1 M.~~
- No. 2. - 2335 feet South and 175 feet West, ~~from the Northeast corner of Section 7, and being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 7, Township 2 North, Range 23 East, W. 1 M.~~
- No. 3. - 3605 feet South and 415 feet West, ~~from the Northeast corner of Section 7, and being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 7, Township 2 North, Range 23 East, W. 1 M.~~

right is appurtenant, is as

Section 7
22.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
5.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 8
Tp. 2 N., R. 23 E. W. 1 M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page *138*, Volume *1*, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on *May 22*, 19*79*, approving transfer application No. *4127*.

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

WITNESS the signature of the water resources Director, affixed

this date, 19

Water Resources Director

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

48297

Transfer T-39

Transfer 4/27

9.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
 39.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
 32.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
 16.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
 35.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
 14.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$

9.0
 39.0
 32.0
 16.0
 35.5
 14.0

Section 17

22.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 22.0
 9.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 5.0

4.5

Section 8

20.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 20.5
 20.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 20.5
 16.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 16.5
 4.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.5

Section 7

Tp. 2 N., R. 23 E., W. 1 M.

89.0 ac.

150.0 ac.

239.0 ac

(2.25 cfs - 135.0 ac. 1892)
 (1.74 cfs - 104.0 ac. 1906)

(0.84 cfs - 50.27 ac. 1892)
 (0.65 cfs - 38.73 ac. 1906)

(1.41 cfs - 84.73 ac. 1892)
 (1.09 cfs - 65.27 ac. 1906)

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MORROW COUNTY

IN THE MATTER OF THE APPLICATION)
OF DAVID CHENEY FOR APPROVAL OF)
AN ADDITIONAL POINT OF DIVERSION)
OF WATER FROM WILLOW CREEK)

ORDER APPROVING
TRANSFER NO. 4127

On January 15, 1979, an application was filed in the office of the Water Resources Director by David Cheney for approval of an additional point of diversion of water from Willow Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 138, Volume 1, State Record of Water Right Certificates, in the name of Wm. B. Ewing, describes a right which includes the use of water from Willow Creek for domestic use (stock use) with a date of priority of 1884, and use of not to exceed 2.5 cubic feet per second from Willow Creek, being 1.41 cubic foot per second for irrigation of 84.73 acres with a date of priority of 1892 and 1.09 cubic foot per second for irrigation of 65.27 acres with a date of priority of 1906; said lands being 4.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8; 9.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 39.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 32.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 16.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 35.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 14.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, Township 2 North, Range 23 East, W.M.

Water for said right is diverted, through the Ewing, Highling^e, Desertland, Kirtzler, Underground and Murphy Ditches, from four points located (1) 1160 feet South and 1000 feet West from the Northeast Corner of Section 20, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20; (2) 3800 feet South and 40 feet West from the Northeast Corner of Section 29, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29; (3) 2600 feet South and 1980 feet West from the Northeast Corner of Section 17, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17; and (4) 2920 feet South and 560 feet West from the Northeast Corner of Section 7, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, all in Township 2 North, Range 23 East, W.M.

The applicant herein, owner of the lands above described, proposes to establish an additional point of diversion, without loss of priority, at a point located 1010 feet South and 792 feet West from the Northeast Corner of Section 7, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 2 North, Range 23 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Heppner Gazette-Times, a newspaper printed and having general circulation in Morrow County, Oregon, for a period of three weeks in the issues of March 8, 15 and 22, 1979.

Mr. William I. Porfily, 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 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 effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

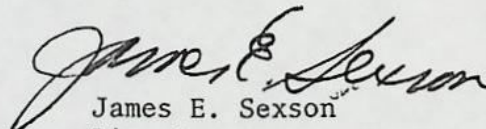
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 established on or before October 1, 1980.

It is FURTHER ORDERED that the certificate recorded at page 138, Volume 1, 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 22nd day of May, 1979.


James E. Sexson
Director

T-4127

6.(a) 2920' S. + 560' W. FROM NE CORNER SEC 7,
BEING WITHIN THE NE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC 7, T. 2N, R. 23E W.M.

(b) 2600' S + 1980' W. FROM NE CORNER OF SEC 17,
BEING WITHIN THE SW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SEC 17, T. 2N, R. 23E, W.M.

Ewing (c) 1160' S + 1000' W FROM NE CORNER SEC 20,
BEING WITHIN THE NE $\frac{1}{4}$ NE $\frac{1}{4}$ SEC 20, T. 2N R. 23E, W. M.

Highline (d) 3800 FT. S + 40' W. FROM NE CORNER SEC 29,
BEING WITHIN THE NE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC 29 T. 2N, R. 23E W. M.

ALL IN THE COUNTY OF MORROW.

RECEIVED

JAN 15 1979

WATER RESOURCES DEPT.

DITCHES USED: EWING, DESERTLAND, ~~WATLEY~~,
UNDERGROUND MURPHY, HIGHLINE.

T-4127

Application for Transfer of Water Right

RECEIVED

JAN 15 1979

WATER RESOURCES DEPT.
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, David Cheney

(Name of applicant)

of Cecil Star Route

(Mailing address)

Ione

(City)

State of Oregon97843

(Zip Code)

422-7252

(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? Wm. B. Ewing

(If not, give name)

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

(Yes or No)

Willow Creek adjudicationnumber of certificate 1383. Was your water right acquired by Water Right Permit? Yes 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 Willow Creek5. What is the date of priority of your water right? 1892 for irrigation of 84.73 acres - 1.41 cfs1926 for irrigation of 65.27 acres - 1.29 cfsSee Separate Sheet6. The authorized point of diversion is located ft. and ft. from the

(N. or S.)

(E. or W.)

corner of being within the $\frac{1}{4}$ $\frac{1}{4}$ of Section Tp. R. W. M.,

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

in the county of The name of the ditch used is

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

7. The proposed additional point of diversion is located 1010 ft. S and 792 ft. W from the NE

(N. or S.)

(E. or W.)

corner of Sec 7 being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7 Tp. 2N R. 23E W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of Morrow The name of the ditch to be used is Will use pumping station with buried & portable main line

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:

Note: lands involved in transfer application No. T-39 (Taylor's) not included in this transfer.

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
2 N	23 E	8	SW¼ SW¼	4.5
		17	NE¼ NE¼	9.0
		17	NW¼ NE¼	39.0
		17	SW¼ NE¼	32.0
		17	SE¼ NE¼	16.0
		17	NE¼ NW¼	35.5
		17	SE¼ NW¼	14.0
			Total	150

(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 improve efficiency in use of water

15. Construction work will be completed on or before 6/1/78

16. The water will be completely applied to the proposed use on or before 6/1/78

Remarks

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, DAVID CHENEY, 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 10 day of JAN, 1979.

David Cheney
(Name of applicant)

Subscribed and sworn to before me this day of, 19.....

[Notarial Seal]

NOTARY PUBLIC FOR OREGON

My commission expires

172-39
8-14-79
VLC

POU

USE

Add '1 POD

County Morrow

1. Name David Cheney

Address Cecil Star Rt. Jones, OR 97843

2. Source of Supply Willow Cr., Trib of _____

3. Use stock & irrigation

4. Amount of Water 1.41 cfs Priority Date 1892
1.09 cfs 1906

5. Proposed Point of Diversion ¹⁵⁰1070 ft S + ⁴⁷⁰792 ft W from NE Corner, Sec 7, w/i NE⁴NE⁴, S⁴7, T.2N, R.23E, WM

6. Completion Date 10-1-80

7. Place of Use:

[illegible]

See T. 3911 for report

[illegible]

THE S.A. BRISTOL CO., PRINTERS & BOOKBINDERS, CHEYENNE, WYO

John H. Lewis - State Engineer.

Examined July 14, 1909.

WILLOW CR → COLUMBIA R

UFR 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. 1000041271 PERMIT NO. 001022 CERTIF. NO.
 ORIG. NO. C000201381 PREV. NO. C000201381 SUPER. NO.

NAME: DAVID CHENEY

ADDRESS: CECIL STAR RT

CITY/STATE/ZIP/COUNTY: IONE OR 97843

STREAM-ID 07 2420

RIV. MI.

WM. DIST. 05 W.R. TYPE SC STATUS V

CANCEL YEAR-->

CONSTR. COMPLT--> 07 05 1979

YR. LAST USED-->

NEXT ACTION DUE-->

PRIORITY--> 12 31 1892

PUT TO USE--> 07 05 1979

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION--> 01 15 1979

SURVEYED-->

EXAM. FEE--> 20.00

RECORDING FEE--> 15.00

PERMIT ISSUE--> 05 22 1979

CONCURRENCE-->

CYCLE STATUS-->

REPORTED FLAG-->

CONSTR. STRT.--> 05 22 1979

CERTIFIED-->

CORRES. INIT.-->

CORRES. DATE-->

POINT-OF-DIVERSION DATA:
 TWNSP RNGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

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

020N 230E 20 A A 07 2420

1.410

V

P

** POD: EWING DISCH. 1160'S & 1000' W

** FM NE COR S 20; HIGHLINE DITCH

** 3800'S & 90' W FM NE COR S 29;

** DESERTLAND, KIRTZLER, UNDERGROUND

** MURPHY DITCHES 2600'S & 1980' W FM

** NE COR S 17 & 2920'S & 560' W FM

** NE COR S 7. ADD'L POD: 1010'S &

792' W FM NE COR S 7. ADDS POD TO

PLACE-OF-USE DATA:

TWNSP RNGE SECT QTR/QTR CNTY USE % CHSMTV ACRES

STATUS S OR P

SEE ATTACHED

REMARKS (CONTINUED) INCLUDES DO & LV WITH
 PRIORITY OF 1889.

PART OF C-138. R.R.C-48297.
 W.R.I.S.

Assembled _____ by _____

Entered _____ by _____

Verified _____ by _____

WILLOW CR → COLUMBIA R

W-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. T000041272 PERMIT NO. 001022 CERTIF. NO.
 ORIG. NO. C000001381 PREV. NO. C000001381 SUPER. NO.
NAME: DAVID CHENEYADDRESS: CECIL STAR RTCITY/STATE/ZIP/COUNTY: IONE OR 97843STREAM-ID 07 2420

RIV. MI.

WM. DIST. 05 W.R. TYPE SC STATUS V

CANCEL YEAR-->

CONSTR. COMPLT--> 07 05 1979

YR. LAST USED-->

NEXT ACTION DUE-->

PRIORITY--> 12 31 1892PUT TO USE--> 07 05 1979

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION--> 01 15 1979

SURVEYED-->

EXAM. FEE--> 20.00RECORDING FEE--> 15.00PERMIT ISSUE--> 05 22 1979

CONCURRENCE-->

CYCLE STATUS-->

REPORTED FLAG-->

CONSTR. STRT.--> 05 22 1979

CERTIFIED-->

CORRES. INIT.-->

CORRES. DATE-->

 POINT-OF-DIVERSION DATA:
 TWNSP RNGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

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

 020N 230E 20 A A 07 2420
 29 B A
 17 A C

1.110
1.090

 ** POD: EWING DISCH. 1160' S & 1000' W
 ** FM NE COR S 20; HIGHLINE DISCH.
 ** 3800' S & 40' W FM NE COR S 29;

 PLACE-OF-USE DATA:
 TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

** DESERTLAND, KIRTLER, UNDERGROUND

SEE ATTACHED

 ** MURPHY DITCHES 2600' S & 1780' W FM
 ** NE COR S 17 & 2920' S & 560' W FM
 ** NE COR S 7. ADD'L POD: 1010' S &
 792' W FM NE COR S 7. ADDS POD TO

REMARKS (CONTINUED)

INCLUDES DO & LV WITH PRIORITY OF 1884.

 PART OF C-138, RRC-48297.
 W.F.I.S.

 Approved _____
 Entered _____
 Verified _____ by _____

RECEIVED

JUL - 5 1979

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN
additional point of diversion from Willow Creek

PURSUANT TO TRANSFER APPLICATION NO. 4127

I, DAVID CHENEY, 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 7/3, 1979.

7/3/79
Date

David Cheney
Signature

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

ok.
Jig

NOTICE OF WATER RIGHT TRANSFER APPLICATIONS NOS. 3911, 4127 & 4128

Notice is given hereby that applications have been filed in the office of the Water Resources Director by David Cheney for approval of an additional point of diversion from Willow Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 137, Volume 1, State Record of Water Right Certificates, in the name of Sarah Ewing, describes a right for the use of water from Willow Cr. for domestic (stock use) and for the use of not to exceed 0.53 cubic foot per second of water from Willow Cr. for irrigation of 31.5 ac in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 8, T 2N, R 23E, WM, with a date of priority of 1897. Water for this right is diverted, through the Ewing Ditch, from a point located 1160 ft S & 1000 ft W from the NE Corner of Sec 20, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 20, T 2N, R 23E, WM.

The certificate recorded at page 139, Volume 1 of said record, in the name of H.S. Ewing, describes a right for the use of water from Willow Cr. for domestic (stock use) with a date of priority of 1875 and for the use of not to exceed 1.27 cfs from Willow Cr. for irrigation of 75.52 ac in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec 7, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 8 and S $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 17, T 2N, R 23E, WM, with a date of priority of 1892. Water for this right is diverted, through the Ewing Ditch, from the point as located above and, through the Highline Ditch, from a point located 3800 ft S & 40 ft W from the NE Corner of Sec 29, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec 29, T 2N, R 23E, WM.

The certificate recorded at page 138, Volume 1 of said record, in the name of Wm. B. Ewing, describes a right which includes the use of water from Willow Cr. for domestic (stock use) with a date of priority of 1884 and the use of not to exceed 2.5 cfs from Willow Cr., being 1.41 cfs for irrigation of 84.73 ac with a date of priority of 1892 and 1.09 cfs for irrigation of 65.27 ac with a date of priority of 1906; said lands being located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 8, NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec 17, T

2N, R 23E, WM. Water for this right is diverted, through the Ewing and Highline Ditches, from the points as located above and, through the Desertland, Kirtzler, Underground, & Murphy Ditches, from two points located 2600 ft S & 1980 ft W from the NE Corner of Sec 17, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 17, T 2N, R 23E, WM, and 2920 ft S & 560 ft W from the NE Corner of Sec 7, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec 7, T 2N, R 23E, WM.

The applicant herein, owner of the lands above described, proposes to establish an additional point of diversion, without loss of priority, at a point located 1010 ft S & 792 ft W from the NE Corner of Sec 7, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 7, T 2N, R 23E, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Heppner, Oregon, on May 3, 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 David Cheney, Cecil Star Route, Ione, OR 97843; and one copy to be 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. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Dept upon request.

Dated at Salem, Oregon this 26th day of February, 1979.

James E. Sexson
Director