

Name Flying O Cattle Co
 By Betty Oliver, Pres
 Address Ironside, Oregon 97908

4304

DESCRIPTION OF WATER RIGHT

Name of stream Willow Cr & Beam Cr

Trib. of Malheur River County of Malheur

Use Irrigation

Quantity of water _____ No. of acres 66⁵

Name of ditch Lofton Ditch

Date of priority C# 1622-1885; C# 1623-1881

In name of 1622-A.R. Van Buren; 1623-M.A. Van Buren
Willow Creek Adjudication, Vol. 3, page 300

App. No. _____ Per. No. _____ Cert. No. 1623

Certificate cancelled _____

Notation made on record by _____

Change in Additional POD

Date filed Oct 15, 1979

Date of hearing Jan 30, 1980

Place of hearing Vale

Date of order 1-30-80 Vol. 32, page 704

Date for application of water completed

Proof mailed _____

Proof received _____

Certificate issued FEB 25 1980 Vol. 42, page 49068

APR 24 1987 51 56140

APR 24 1987 51 56141

Surveyed 9/30/85

to survey 1/80

REMARKS

W.R.I.S.

Assembled 3-25-85 by SDA

Entered _____ by _____

Verified _____ by _____

FEES PAID

Date	Amount	Receipt No.
<u>10-15-79</u>	<u>40.95</u>	<u>14522</u>
<u>11-23-79</u>	<u>44.05</u>	<u>15121</u>
TOTAL . . .		
	Cert. Fee	

Malheur-Enterprise #2940 pd 1-16-80 CR# 4025

FEES REFUNDED

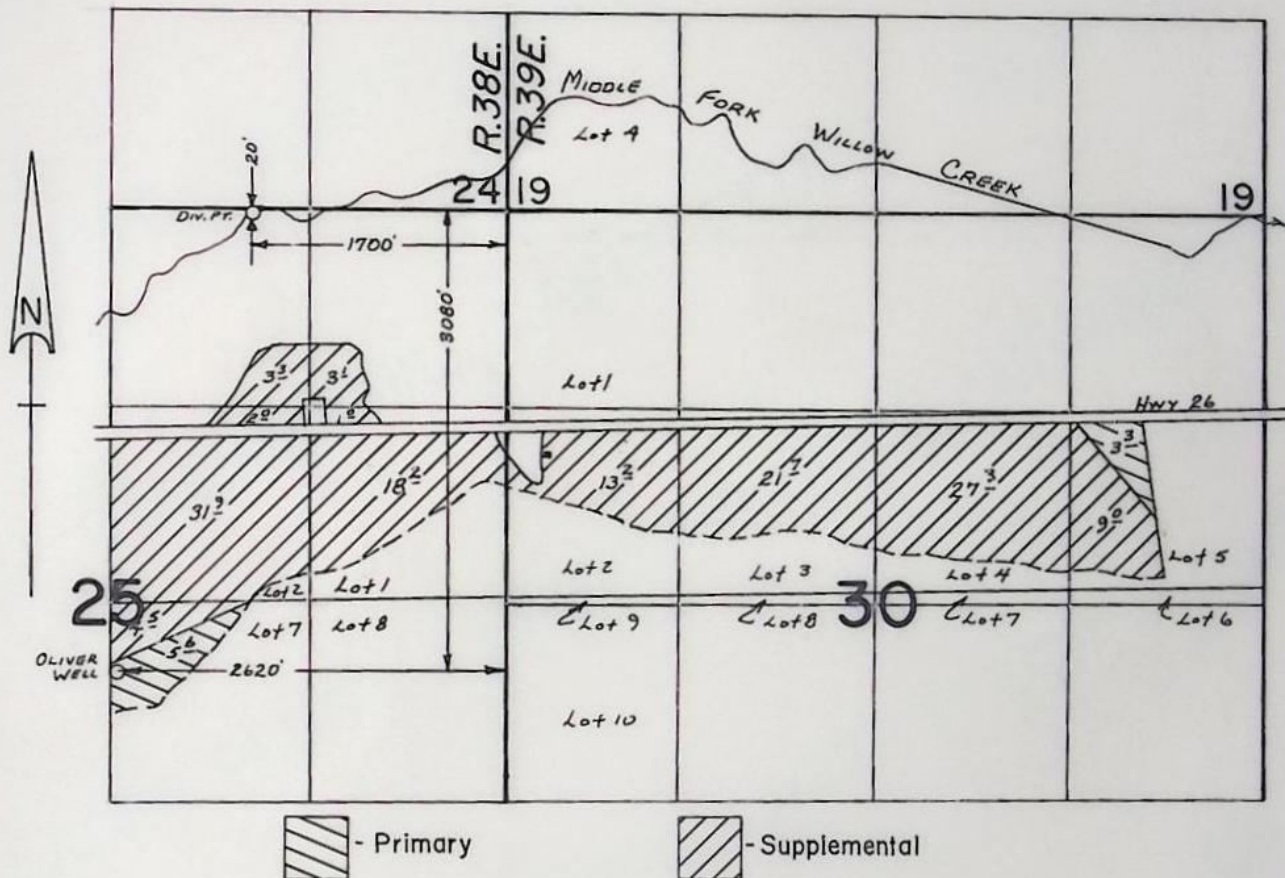
Date	Amount	Check No.
<u>1-16-80</u>	<u>20⁶⁰</u>	<u>4026</u>

Ex 20-
POD 15-
POD 29 42
64 42

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

487

T.14S., R.38&39E., W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY UNDER

Transfer No. 4304
Application No. G-7268.. Permit No. G-6740.....
IN NAME OF

FLYING "O" CATTLE CO., INC.....

Surveyed Sept. 30, 1985, by L.M. TOLL.....

EXISTING WATER Right

T. 14S, R. 38E, W.M.

Sec 25

	Found	Per.	Suppl	
NE NE	3 ¹	—	3 ¹	40°
NW NE	3 ³	—	3 ³	31°
Lot 2 (SW NE)	33 ⁹	—	33 ⁹	40°
Lot 1 (SE NE)	19 ²	—	19 ²	25°
Lot 7 (NW SE)	10 ¹	5 ⁶	4 ⁵	4 ⁵

T. 14S, R. 39E, W.M.

Sec 30

	Found	Per.	Suppl	
Lot 4 (SW NE)	27 ³	—	27 ³	28°
Lot 5 (SE NE)	12 ³	3 ³	9 ⁰	9°
Lot 2 (SW NW)	13 ²	—	13 ²	22°
Lot 3 (SE NW)	21 ²	—	21 ²	23°
	144 ¹	8 ²	135 ²	

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MAR 10 1986
WATER RESOURCES DE
SALEM, OREGON

RECEIVED

MAR 10 1986

WATER RESOURCES DEPT
SALEM, OREGON

POU

~~USE~~

Add'l POD

County MALHEUR

1. Name Flying O Cattle Co.

Box 12

Address ~~Ironside,~~ OR 97908.

97884

2. Source of Supply Willow Creek, Trib of Malhuer River

3. Use irrigation

4. Amount of Water Priority Date 1881 & 1885

5. Proposed Point of Diversion 25' N & 1525' W from NE Cor of Sec 25, within

SW¹/₄ SE¹/₄, Sec. 24, T 14S, R 38E, WM

6. Completion Date COMPLETED

Date of Order 1-30-80

7. Place of Use:

[illegible]

✓ The existing Du. Point point shown on APPLICATION MAP IS ONLY 1 of 2 Du. Points. THE ONE SHOWN IS ON BEAM CREEK (Source for Cont 1623 land), the Willow Creek Div IS NOT IDENTIFIED ON MAP AND SHOULD BE.

INFO - GARY BAUMMEISTER - OPERATOR OF FLYING "O" - BETTY OLIVER'S
SON-IN-LAW

DIV - DIRECT FROM WILLOW CREEK

PUMP - BERKLEY DDC 3x2 1/2

MOTOR - BALDOR 10 H.P. @ 3450 RPM

PIPE - BURIED 8" MAIN 900'
200' 5" AUM MAIN
1880' 4" WHEEL LINE
200' 4" AUM LAF

HEADS - 47 RB 30 5/32
5 RB 30 7/64

(47 MOT)

USE - ALF (ALFALFA) AND GRAIN

LIFT - +10 to +25

TIE - 41045 - 278 - 150 R

ORIGINAL Ditch still used AT
TIMES

Lobby
WKS
9/30/85

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NOV 13 1979
WATER RESOURCES DEPT
SALEM, OREGON
T-4304

T-4304

R RESOUR
SALEM, OREGON



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF THE APPLICATION)
OF FLYING O CATTLE CO. FOR APPROVAL)
OF AN ADDITIONAL POINT OF DIVERSION)
OF WATER FROM WILLOW CREEK)

ORDER APPROVING
TRANSFER NO. 4304

On October 15, 1979, an application was filed in the office of the Water Resources Director by Flying O Cattle Co. 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 affected water rights are portions of the rights described by the certificates recorded at pages 1622 and 1623, State Record of Water Right Certificates, in the names of A.R. and M.A. Van Buren, and are for the irrigation of a certain 29.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 28.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24; and 9.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, Township 14 South, Range 38 East, W.M., with priority dates of 1881 and 1885.

The authorized point of diversion is located South 60 degrees 05 minutes East, 2040 feet from the Northwest Corner of Section 25, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 14 South, Range 38 East, W.M. (Lofton Ditch).

The applicant proposes to establish an additional point of diversion located 25 feet North and 1525 feet West from the Northeast Corner of Section 25, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 14 South, Range 38 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 5, 12 and 19, 1979.

Mr. Frank W. 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 right, and shall not exceed a rate of flow of 0.22 second foot from April 1 to May 1 and 0.11 second foot from May 1 to September 1 of each year, or the equivalent in case of rotation; the total quantity diverted during each irrigation season not to exceed 27.0 acre feet.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed:

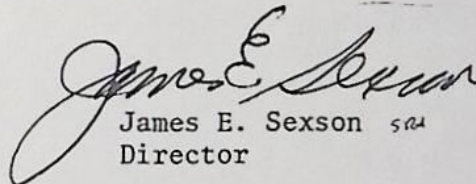
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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

It is FURTHER ORDERED that NO time need be fixed for completion as the additional point of diversion is established.

It is FURTHER ORDERED that the certificates recorded at pages 1622 and 1623, Volume 2, State Record of Water Right Certificates, are canceled; and in lieu thereof new certificates be issued covering the balance of the rights 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, confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 30th day of January, 1980.


James E. Sexson
Director

BEAM CR → W.F. WILLOW 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. 1000043042 PERMIT NO. 003300 CERTIF. NO.
 ORIG. NO. C000016231 PREV. NO. C000016231 SUPER. NO.

NAME: FLYING O CATTLE CO

ADDRESS: X X

CITY/STATE/ZIP/COUNTY: IRONSIDE, OR 97908

STREAM-ID 10 5940 0080 0700 100 010

RIV. MI.

WM. DIST 09

W.R. TYPE SC STATUS

CANCEL YEAR---

CONSTR. COMPLT--> 01 30 1980

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 12 31 1981

PUT TO USE-----> 01 30 1980

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION-----> 10 15 1979

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE--> 01 30 1980

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 01 30 1980

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

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

RIV. MI.

RATE

STATUS S OR P

1405 320E 25 B A 10 5940 0080 0700 100 010

1.440

V

P

1405 320E 24 D C

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

** P20: 1) 1020'S & 1770'E FM NW

** COR S 25; 2) 25'N & 1525'W FM

** NE COR S 25. ADDS P20 TO

** C-1622. NO RR. SEE T000043041.

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

USE % CNSMTV

ACRES

STATUS S OR P

1405 320E 24 D C 23 1R 100 29.50

V

P

LV

DO

DD

1R

28.00

LV

DO

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

W.R.I.S.

Assembled 3-25-85 by SDH

Entered by

Verified by

T-4304 RECEIVED

OCT 15 1979

WATER RESOURCES DEPT

SALEM, OREGON

Application for Transfer of Water Right

RECEIVED

NOV 13 1979

WATER RESOURCES DEPT

SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Flying O Cattle Co. Betty Oliver - Pres.
(Name of applicant)
 of Ironides, Ore.
(Mailing address) 97908
(Zip Code) (Phone number)
 State of , do hereby make application for change
an Additional Point of Diversion
(In point of diversion; place of use; use heretofore made of the water)

- Is the water right recorded in your name? No M. A. Van Buren
(If not, give name)
- Was your water right determined by Decree of Court? Yes If so, give title of proceedings
Willow Creek Adjudication number of certificate 1622
(Yes or No)
- Was your water right acquired by Water Right Permit? No If so, give number
 of permit Number of certificate 1623
(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.

- The source of water is Beam Cr. and West Fork Willow Cr.
1855
- What is the date of priority of your water right? 1881
- The authorized point of diversion is located 560° 05' E - 2040' ft. NE and ft. NW
(N. or S.) (E. or W.)
 corner of Sec 25 being within the NW 1/4 of Section 25 Tp. 14S R. 38E W. M.,
(No. N. or S.) (No. E. or W.)
 in the county of Malheur The name of the ditch used is Lotton Ditch

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

- The proposed point of diversion is located 25 ft. N and 1525 ft. N from the NE
(N. or S.) (E. or W.)
 corner of Sec 25 being within the SW 1/4 of Section 24 Tp. 14S R. 38E W. M.,
(No. N. or S.) (No. E. or W.)
 in the county of Malheur The name of the ditch to be used is Sprinker

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 1/4-1/4 of Section	Number Acres To Be Irrigated
14S	38E	24	SE SW	295
		✓	SE SW	28
		25	NW NE SW	9

(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.? Yes
(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
(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 1/4-1/4 of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are After the spring run off
too much water is wasted through the long ditch.

15. Construction work will be completed on or before Completed

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

Remarks Applicant is using a D C cat motor (diesel)
to operate centrifugal pump. Intake 4" and
discharge 5" - GPM = 1500. Land East of main
line to be irrigated with wheel line sprinklers.
Area west by hand sprinklers and ditch as shown.
Please include domestic and stock use in the transfer

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.

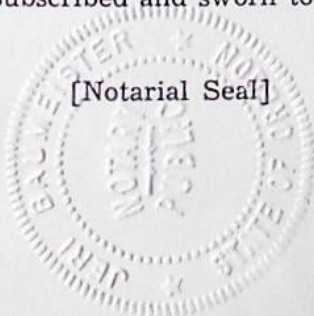
AFFIDAVIT OF APPLICANT

I, Flying O Cattle Co, 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 9th day of October, 1979.

Flying O Cattle Co
Robert E. Baumeister Sec.
Subscribed and sworn to before me this 9th day of October, 1979.

[Notarial Seal]



Jeri Baumeister
NOTARY PUBLIC FOR OREGON

My commission expires 11-17-79

AFFIDAVIT OF PUBLICATION

Vale, Oregon December 19 19 79

TO MALHEUR ENTERPRISE, Dr.

To publishing attached Legal Notice In 3 issues \$ 29.40

STATE OF OREGON)
County of Malheur)ss.

I, Warren G. Ayer 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 5th day of December, 19 79

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

That the amount of charge actually made and to be collected for such newspaper for such publication is \$ 29.40

Warren G. Ayer
Foreman Publisher of the Printers

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

James E. Sexson
Notary Public for Oregon

My commission expires August 11, 19 82

RECEIVED
DEC 24 1979
WATER RESOURCES DEPT
SALEM, OREGON

Legal Notice

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4304

The Water Resources Director of Oregon has received and filed an application by Flying O Cattle Co. for approval, without loss of priority, of an additional point of diversion of water under certain water rights.

The affected water rights are portions of the rights described by the certificates recorded at pages 1622 and 1623, Volume 2, State Record of Water Right Certificates, in the names of A.R. & M.A. Van Buren, and is for the irrigation of a certain 29.5 ac in SW 1/4 SE 1/4, 28.0 ac in SE 1/4 SE 1/4, Sec. 24; and 9.0 ac in NW 1/4 NW 1/4, Sec. 25, T 14S, R 38E, WM, with priority date of 1881 & 1885.

The authorized point of diversion is located S 60° 05 minutes E, 2040 ft from the NW Corner of Sec 25, being within the NW 1/4 NW 1/4 of Sec 25, T 14S, R 38E, WM (Lofton Ditch).

The applicant proposes to establish an additional point of diversion located 25 ft N & 1525 ft W from the NE Corner of Sec 25, being within the SW 1/4 SW 1/4 of Sec 24, T 14S, R 38E, WM.

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Wednesday, January 30, 1980, at the Malheur County Courthouse, Vale, Oregon. Any objection to the proposed change must be prepared in writing: one copy to be served on the applicant at Ironside, OR 97908; and one copy filed in the office of the Water Resources Director, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. Rules for filing objections will be furnished upon request.

IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING.

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

James E. Sexson, Director

Publish: Dec. 5, 12, 19, 1979



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: 10-19-, 1979.FROM: ** Frank Elfering, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4304IN THE NAME OF Flying O Cattle Co. by Betty Oliver

In my opinion the proposed additional point of diversion from Willow Creek
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:

- X (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 _____

** Frank Elfering
Watermaster's signature or initials

773-3930

Call Frank and 10/24/79
do it like this

RECEIVED

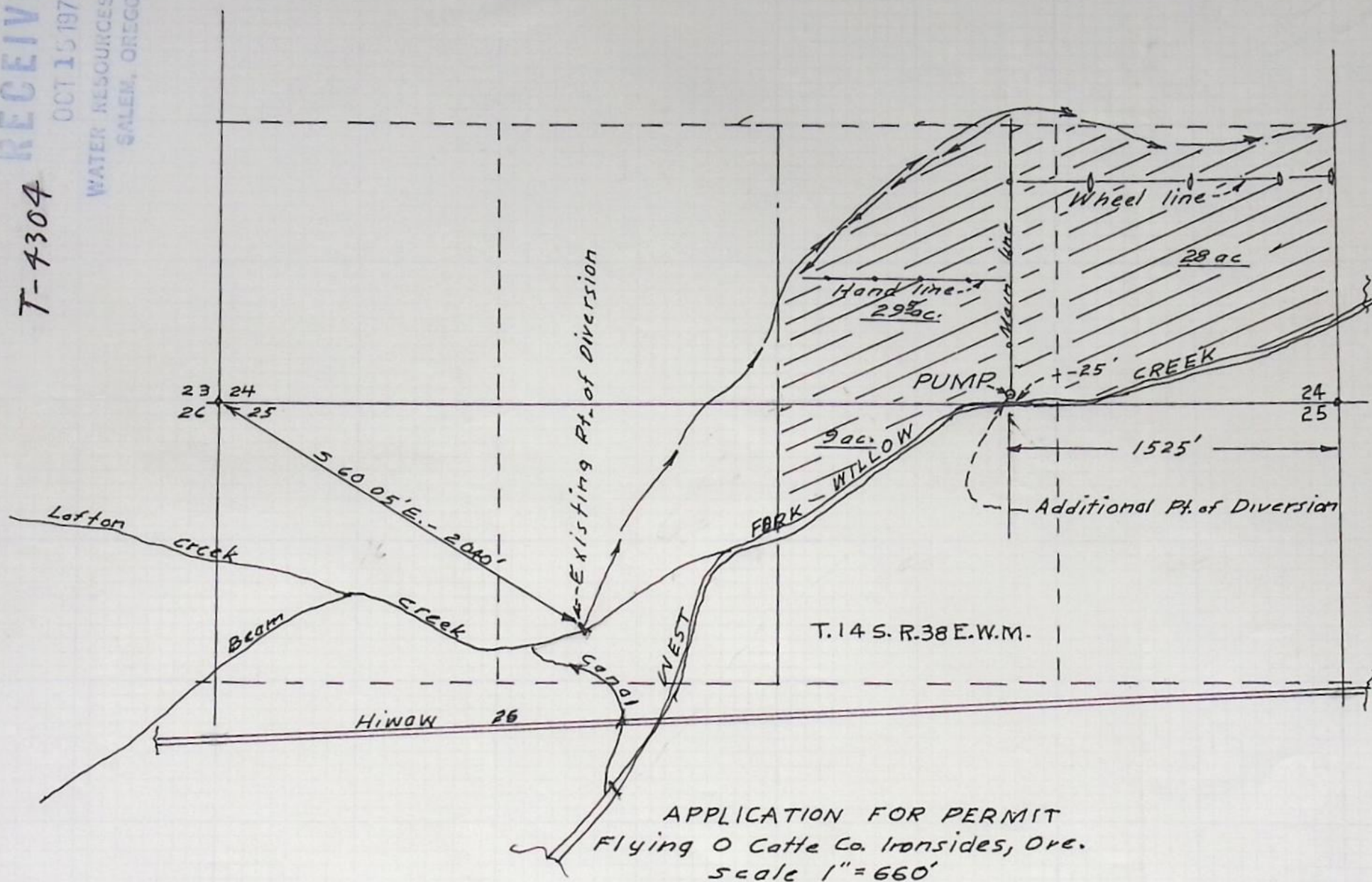
OCT 22 1979

WATER RESOURCES DEPT
SALEM, OREGON

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
1622 A. R. Van Buren Ironsides, Ore.	1881	0.59	47	Irrigation	Carlisle	Willow	25 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 25 Tp. 14 S. R. 38 E. W. M. 22 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 30 Tp. 14 S. R. 39 E. W. M.
	1885	1.55	124.5	Irrigation	Hicker and two other ditches	Willow	40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 4 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 25 Tp. 14 S. R. 38 E. W. M.
1623 A. A. Van Buren Ironsides, Ore.	1881	0.72	57.5	Irrigation	T-4304 Add'l pod	Willow Beam	29.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; 28 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 24 Tp. 14 S. R. 38 E. W. M.
1624 James F. Weaver Ironsides, Ore.	1878	2.50	200	Irrigation		Lost Valley Creek	20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; 20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; 35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 19 50 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 30 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; 25 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 20 Tp. 14 S. R. 40 E. W. M.
46220 22410 Alice Williams Malheur, Ore. T-4304 Add'l pod (Add'l) T-4303 Add'l pod	1868	1.38	110 108.5	Irrigation	Morfitt	Willow	35 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; 15 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 20 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 1 Tp. 14 S. R. 40 E. W. M.
1627 Willow River Land & Irrigation Company, by Dennis M. Brogan Director. Brogan, Ore.	Dec. 15 1872	2.24	178 $\frac{1}{2}$	Irrigation	Cole	Willow	26 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$; 27 $\frac{1}{2}$ " in SW $\frac{1}{4}$ SE $\frac{1}{4}$; 27 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; 32.5 " in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 36 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 17 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; 7 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 14 Tp. 15 S. R. 42 E. W. M.
	1873	5.72	457	Irrigation	Lockett or Company	Willow	4.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; 32 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 24 Tp. 15 S. R. 42 E. W. M. 2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; 20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; 11 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 36 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; 59.5 " in SW $\frac{1}{4}$ SW $\frac{1}{4}$; 39 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 19

T-4304

OCT 15 1979



STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This Is to Certify, That A. R. VAN BUREN

of Ironside, State of Oregon 97908, has
a right to the use of the waters of Willow Creek

a tributary of Malheur River for the purpose of
irrigation of 162.5 acres, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Malheur County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 3, at page 258; that the priority of the right thereby confirmed dates from 1881 for 47 acres and 1885 for 115.5 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 a rate of flow of 4.06 cubic foot per second from April 1st to May 1st and 2.03 c.f.s. from May 1st to September 1st of each year, or the equivalent in case of rotation; the total quantity diverted during each irrigation season not to exceed 487.5 acre feet

The point of diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, T. 14 S., R. 38 E., W.M.; Lofton Ditch - South 60 degrees 05 minutes East; 2040 feet from NW Corner, Section 25

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

25.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
4.5 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
31.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 25
T. 14 S., R. 38 E., W.M.

22.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 30
T. 14 S., R. 39 E., W.M.

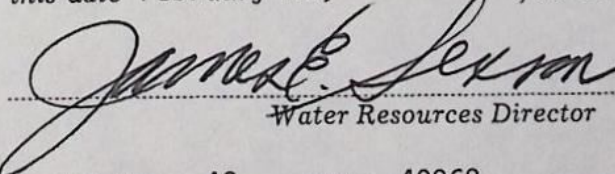
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 1622, Volume 2, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on January 30, 1980, approving transfer application No. 4304.

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

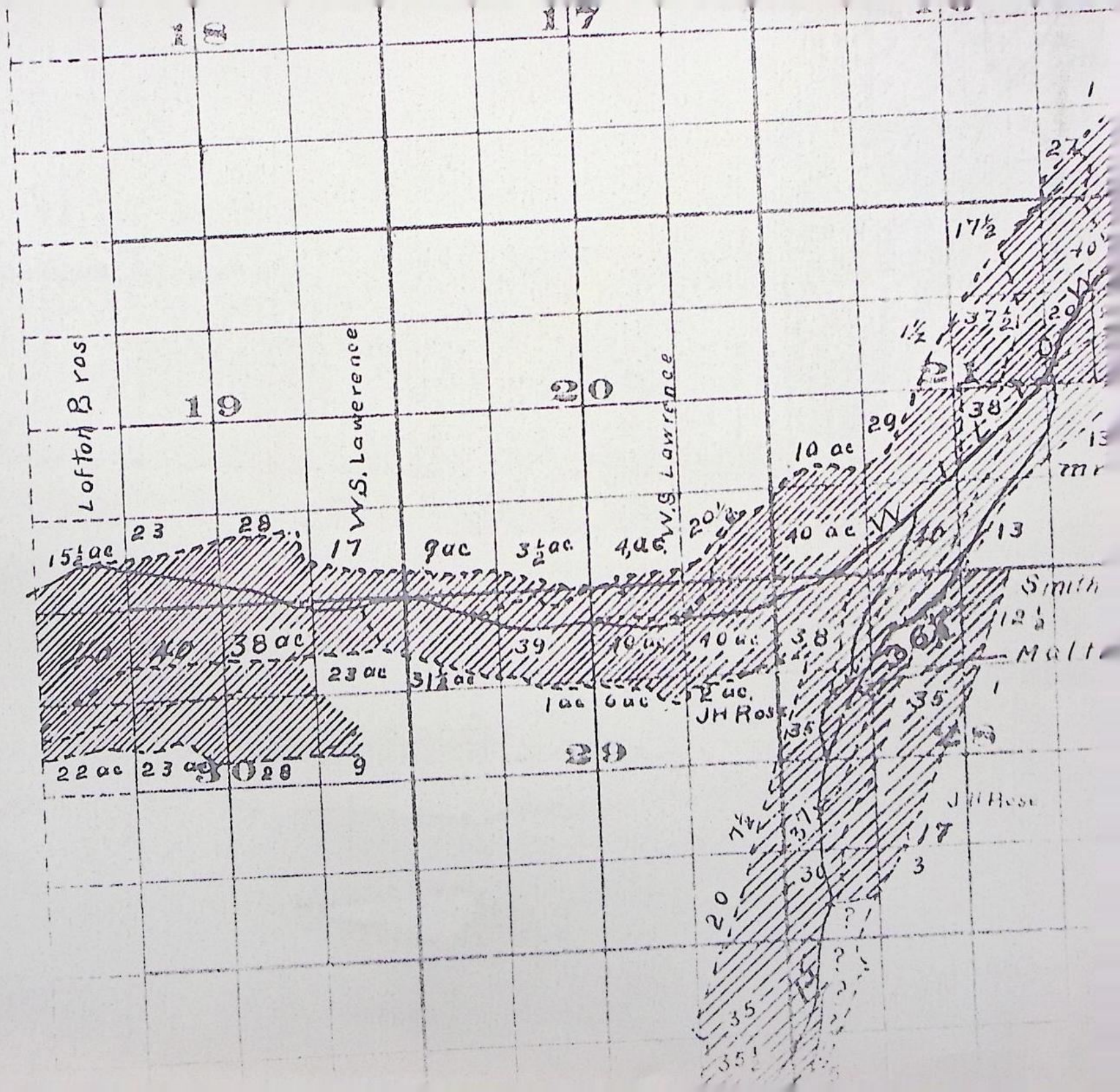
And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date February 25, 1980.


Water Resources Director

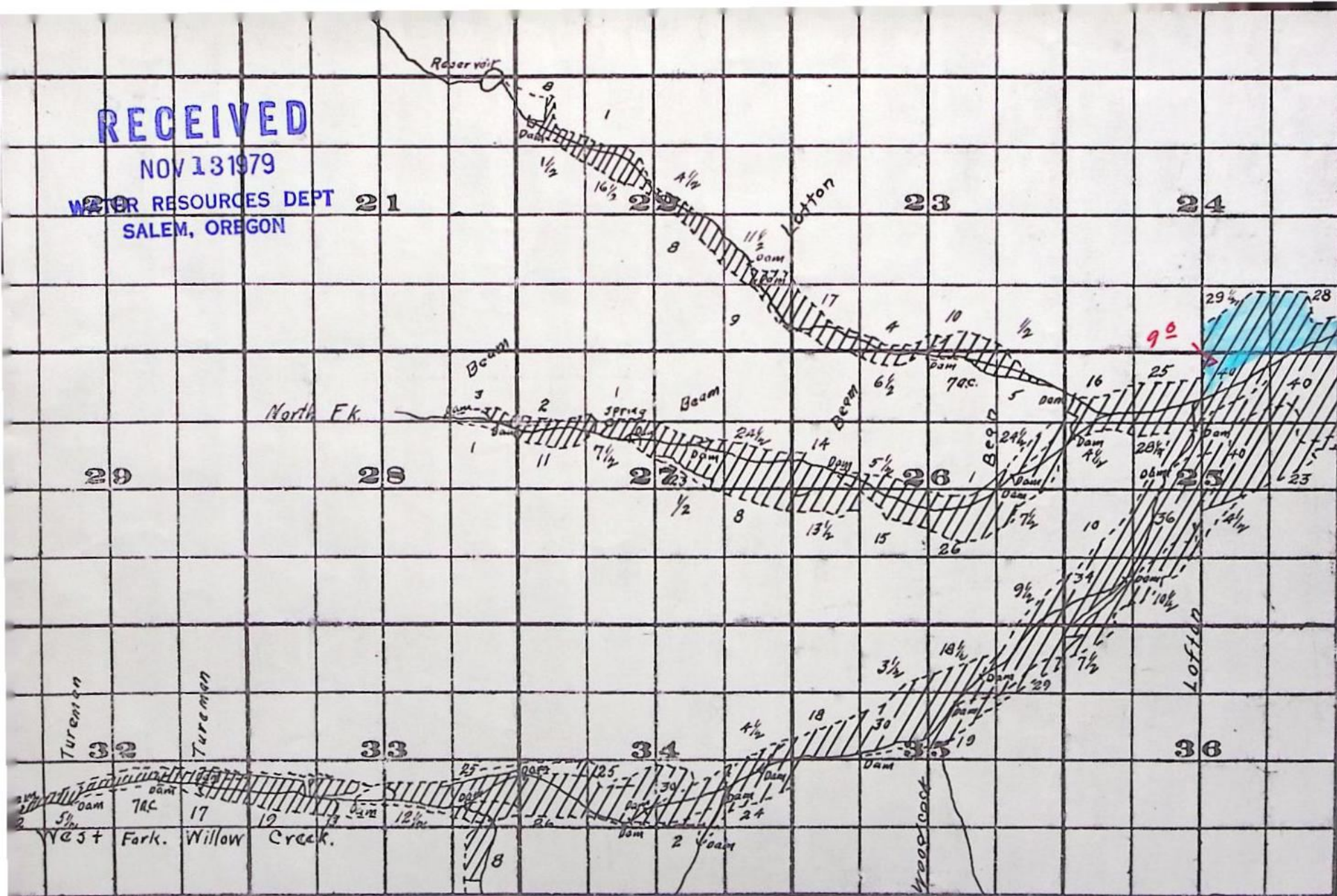
Recorded in State Record of Water Right Certificates, Volume 42, page 49068



T-4304

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WATER RESOURCES DEPT
SALEM, OREGON

FROM OFFICE OF THE STATE ENGINEER, SALEM, OREGON

Survey By Rhea Luper
April 3rd 1910

T14SR38E

Adjudication - Willow Creek - Malheur Co.,

State Eng.

ed Aug 24, 1910