

G4650

Name WALTER T. McEWEN

By _____

Address 1099 Diamond Street
Burns, Oregon 97720

Date filed October 16, 1968

Priority October 16, 1968

Action suspended until Oct cert

Returned to applicant _____

Date of approval May 23, 1969

CONSTRUCTION

Date for beginning May 23, 1970

Date for completion October 1, 1970

Extended to _____

Date for application of water October 1, 1971

Extended to _____

PROSECUTION OF WORK

Form "A" filed Started

Form "B" filed May 28, 1970

Form "C" filed May 28, 1970

FINAL PROOF

Blank mailed OCT 9 1978

Proof received _____

Date certificate issued OCT 20 1978

Application No. G G 4650

Permit No. G G 4374

Certificate No. 4666691975
81927 RR

Stream Index, Page No. 12-33
26/31-34 G

FEES PAID

Date	Amount	Receipt No.
<u>10-16-68</u>	<u>33.30</u>	<u>11838</u>

<u>10-13-78</u>	<u>\$1 Cert. Fee</u>	<u>6725</u>
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FEES REFUNDED

Date	Amount	Check No.

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

2.22 cfs from a well (Donner and Blitzen River) for the supplemental irrigation of 155.9 acres

T-10109

RECEIVED
MAY 28 1970
STATE ENGINEER
SALEM OREGON

Form B

Application No. 6-4650

NOTICE OF COMPLETION OF CONSTRUCTION

I, WALTER T. McEWEN, the holder of Permit No. 6-4374

to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 1st day of MAY, 1970.

Remarks: _____
If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of May, 1970.

Walter T. McEwen (Signature of Applicant) 1099 N. DIAMOND ST. BURNS, ORE 97720 (Address)

Fill out, detach and mail to the State Engineer, Salem, Oregon 97310, when construction work is completed.

Form C

IMPORTANT—This form is a notice to the State Engineer that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated. Fill out, detach and mail to the State Engineer, Salem, Oregon 97310, when all of the water has been applied.

Application No. 6-4650

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, WALTER T. McEWEN, the holder of Permit No. 6-4374

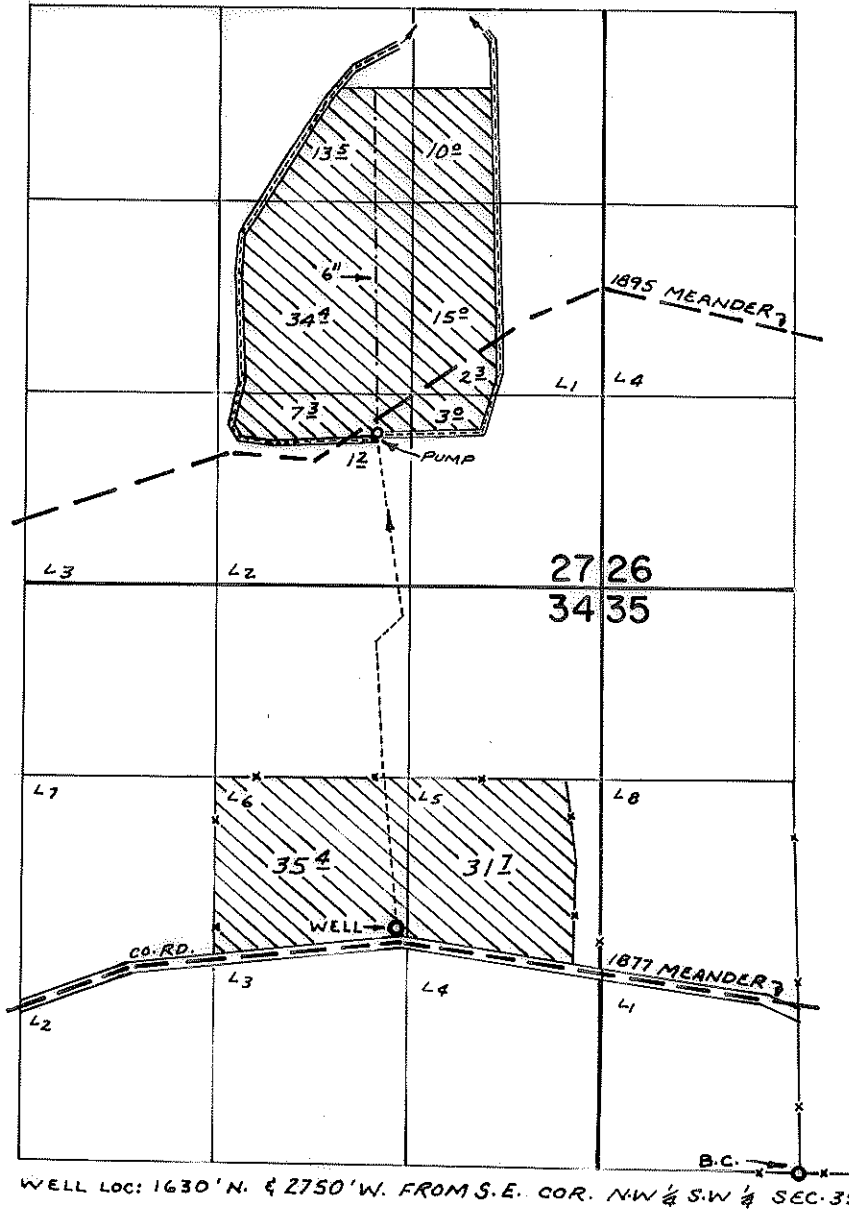
to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 26th day of MAY, 1970.

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of MAY, 1970.

Walter T. McEwen (Signature of Applicant) 1099 N. DIAMOND ST. BURNS, ORE 97720 (Address)

T.26S.R.31E.W.M.
SOUTH OF MALHEUR LAKE



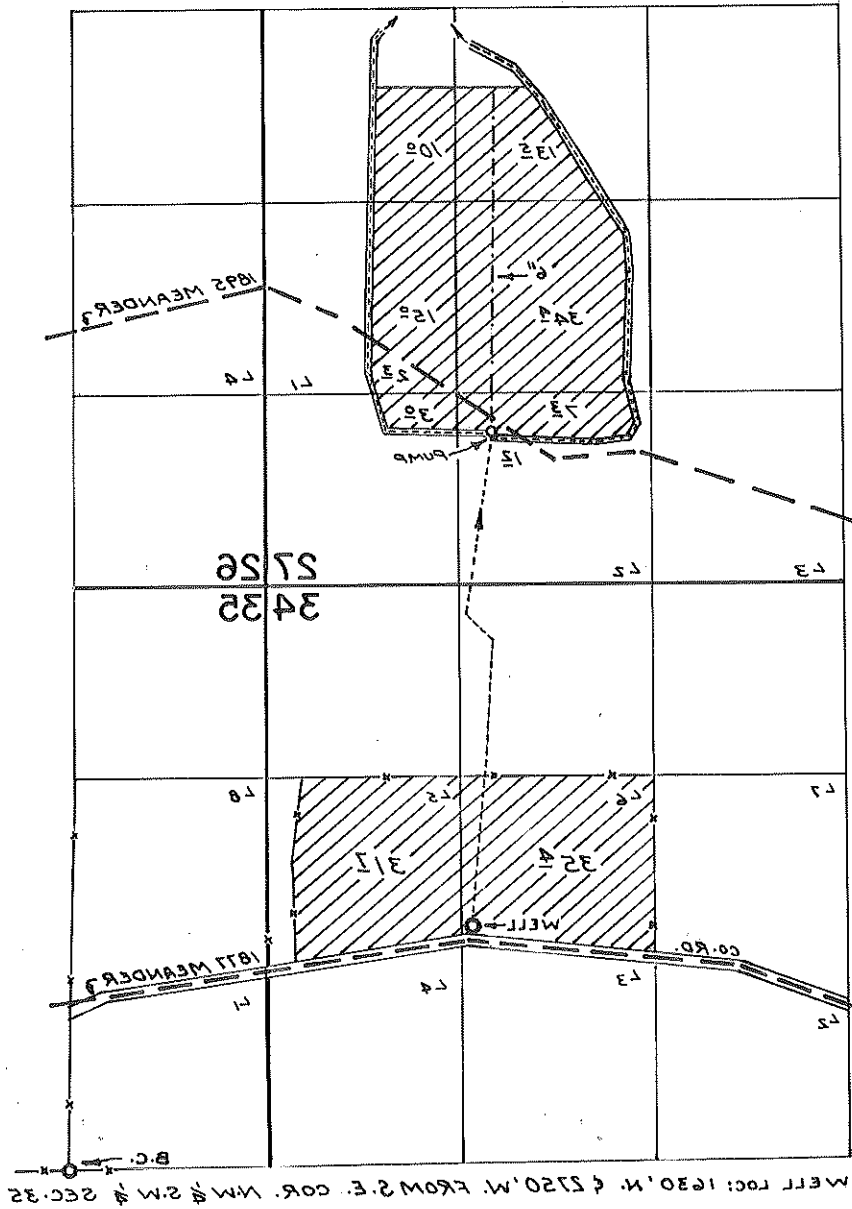
FINAL PROOF SURVEY
UNDER

Application No. G-4650 Permit No. G-4374
IN NAME OF

WALTER T. McEWEN

Surveyed JUNE 24, 1976, by R. MUCKEN

T.S&R.31E.W.M.
SOUTH OF MALHEUR LAKE



FINAL PROOF SURVEY
UNDER

Application No. G-4420 Permit No. G-4374
IN NAME OF

.....WALTER T. McEWEN.....

Surveyed June 24 1976, by R. MUCKER.....

G 4650

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JETT C. BLACKBURN
SOD HOUSE FARMS
707 PONDEROSA VILLAGE
BURNS, OR 97720

confirms the right to the use of water perfected under the terms of Permit G-4374. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of appropriation from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: A WELL IN THE DONNER UND BLITZEN RIVER BASIN

PURPOSE or USE: IRRIGATION OF 60.7 ACRES

MAXIMUM RATE: 0.76 CUBIC FOOT PER SECOND

DATE OF PRIORITY: OCTOBER 16, 1968

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
26 S	31 E	WM	34	SW NE	6	1630 FEET NORTH AND 2780 FEET WEST FROM SE CORNER LOT 1 (NWSW), SECTION 35

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	31 E	WM	27	SW SE	2	24.2
26 S	31 E	WM	34	NW NE		36.5

When required by the Department, the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated. 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.

The right to the use of water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations.

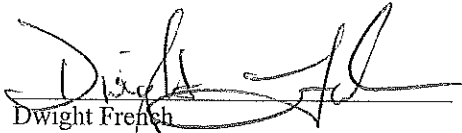
NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

This certificate is issued to confirm a change in PLACE OF USE AND SUBSTITUTION OF A SUPPLEMENTAL GROUND WATER RIGHT FOR A PRIMARY SURFACE WATER RIGHT approved by an order of the Water Resources Director entered OCTOBER 27, 2006, at Special Order Volume 70, Page 424, approving Transfer Application 10109, and together with Certificate 81927, supercedes Certificate 46666, State record of Water Right Certificates.

The substitution of a supplemental ground water right for a primary surface water right may be terminated upon a request by the water right holder or by an order of the Director, if the Director determines that the use of the ground water as primary causes injury. Upon termination, the substituted primary and supplemental water rights shall revert to their original status.

Issued DEC 09 2016.



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

5-4650

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

In the Matter of Transfer Application T-10109, Harney County))))))	FINAL ORDER APPROVING A CHANGE IN PLACE OF USE AND SUBSTITUTION OF A SUPPLEMENTAL GROUNDWATER RIGHT FOR A PRIMARY SURFACE WATER RIGHT
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ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. ORS 540.524 provides that the holder of both a primary surface water right certificate and a supplemental ground water right or permit may substitute the use of the supplemental water right for the primary water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

JETT C. BLACKBURN
SOD HOUSE FARMS
707 PONDEROSA VILLAGE
BURNS OR 97720

Findings of Fact

1. On March 6, 2006, Jett C. Blackburn of Sod House Farms, filed an application to transfer the place of use under Certificate 46666 and to substitute a supplemental right to use ground water under Certificate 46666 for a primary right to use surface water under Certificate 15203. The Department assigned the application number T-10109.

2. The portion of the right to be transferred is as follows:

Certificate: 46666 in the name of WALTER T. McEWEN (perfected under Permit G-4374)
Use: SUPPLEMENTAL IRRIGATION of 61.4 ACRES
Priority Date: OCTOBER 16, 1968
Rate: 0.77 CUBIC FOOT PER SECOND

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3 acre feet per acre per year during the irrigation season

Source: A WELL in the DONNER UND BLITZEN RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
26 S	31 E	WM	34	SW NE	6	1630 FEET NORTH AND 2750 FEET WEST FROM THE SE CORNER OF LOT 1 (NWSW) OF SECTION 35

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	31 E	WM	27	SW NE	13.5
26 S	31 E	WM	27	SE NE	10.0
26 S	31 E	WM	27	NE SE	12.6
26 S	31 E	WM	27	NW SE	25.3

- The right evidenced by Certificate 46666 is supplemental to the primary irrigation right evidenced by Certificate 15203.
- Transfer Application T-10109 proposes to change the place of use of the right to the following location to which Certificate 15203 is also appurtenant:

SUPPLEMENTAL IRRIGATION

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	31 E	WM	27	SW SE	2	24.2
26 S	31 E	WM	34	NW NE		37.2

- The portion of the primary surface water right to be exercised as a supplemental right under the substitution is as follows:

Certificate: 15203 in the name of HILL BROTHERS (confirmed by Donner und Blitzen River decree)

Use: IRRIGATION of 61.4 ACRES

Priority Date: 1888

Limit/Duty: ONE-FORTIETH cubic foot per second (cfs) per acre from 3/1- 6/15, ONE-EIGHTIETH cfs per acre from 6/16 – 10/1 with a total limitation of 3 acre feet from 3/1 – 10/1, measured at the point of diversion from the stream

Source: DONNER UND BLITZEN RIVER, tributary to MALHEUR LAKE

Authorized Place of Use:

IRRIGATION

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	31 E	WM	27	SWSE	2	24.2
26 S	31 E	WM	34	NW NE		37.2

- The portion of the ground water right to be exercised as a primary right under the substitution is as follows:

Certificate: 46666 in the name of WALTER T McEWEN (perfected under Permit G-4374)

Use: SUPPLEMENTAL IRRIGATION of 61.4 ACRES

Priority Date: OCTOBER 16, 1968

Rate: 0.77 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3 acre-feet per acre per year during the irrigation season

Source: A WELL in the DONNER UND BLITZEN RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
26 S	31 E	WM	34	SW NE	6	1630 FEET NORTH AND 2750 FEET WEST FROM THE SE CORNER OF LOT 1 (NWSW) OF SECTION 35

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	31 E	WM	27	SW SE	2	24.2
26 S	31 E	WM	34	NW NE		37.2

7. On August 22, 2006, the Department issued a preliminary determination proposing approval of Transfer Application T-10109 and mailed a copy to the applicant. Notice of the preliminary determination for the transfer application was published on the Department's weekly notice on August 28, 2006, and in the Burns Times-Herald on September 13, 20, and 27, 2006, pursuant to ORS 540.520 and OAR 690-380-4020. No comments were filed in response to the notice.
8. Water has been used within the last five years according to the terms and conditions of the rights, and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right is present.
10. The proposed changes would not result in enlargement of the rights.
11. The proposed changes would not result in injury to other water rights.

Conclusions of Law


The proposed change in place of use and substitution of a supplemental right to use ground water (Certificate 46666) for a primary right to use surface water (Certificate 15203) in transfer application T-10109 are consistent with the requirements of ORS 540.524, 537.705, 540.505 to 540.580, and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The changes in place of use and substitution of a supplemental groundwater right for a primary surface water right proposed in Transfer Application T-10109 are approved.

2. Certificate 46666 is cancelled. A new certificate will be issued describing that portion of the right not involved in this transfer.
3. The right to use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 46666 and 15203 and any related decree.
4. The former place of use of the transferred water described by Certificate 46666 in Finding of Fact #2 shall no longer receive water as part of this right.
5. The approved changes to the right evidenced by Certificate 46666 shall be completed and full beneficial use of the water shall be made on or before **October 1, 2008**. A Claim of Beneficial Use (COBU) prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
6. When satisfactory proof of the completed change in place of use is received, a new certificate confirming the right transferred will be issued. The water user may make proof on the ground water right by exercising the right as authorized under this order.
7. The listed portion of the primary surface water right under Certificate 15203 may be exercised as a supplemental water right and the listed portion of the supplemental water right perfected under Permit G-4374 and as described in Findings #5 and #6 above may be exercised as a primary water right.
8. The substitution of a supplemental ground water right for a primary surface water right may be terminated upon a request by the water right holder or by an order of the Director if the Director determines that the use of the ground water as primary causes injury. Upon termination, the substituted primary and supplemental water rights shall revert to their original status.
9. When required by the Department, the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated. 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.

Dated at Salem, Oregon this 27th day of October 2006.



Phillip C. Ward, Director

Mailing date: NOV 06 2006

STATE OF OREGON
 COUNTY OF HARNEY
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WALTER T MCEWEN
 1099 DIAMOND ST
 BURNS OR 97720

confirms the right to use the waters of a WELL in the DONNER UND BLITZEN RIVER BASIN for SUPPLEMENTAL IRRIGATION of 92.4 ACRES.

This right was perfected under Permit G-4374. The date of priority is OCTOBER 16, 1968. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.15 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
26 S	31 E	WM	34	SW NE	6	1630 FEET NORTH AND 2750 FEET WEST FROM THE SE CORNER, LOT 1 (NWSW), OF SECTION 35

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

A description of the place of use to which this right is appurtenant is as follows:


SUPPLEMENTAL IRRIGATION

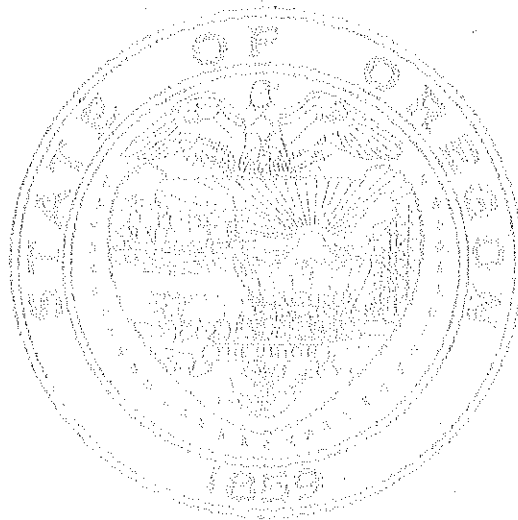
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	31 E	WM	27	NE SE	1	2.3
26 S	31 E	WM	27	NE SE		2.4
26 S	31 E	WM	27	NW SE		9.1
26 S	31 E	WM	27	SW SE		7.3
26 S	31 E	WM	27	SW SE	2	1.2
26 S	31 E	WM	27	SE SE		3.0
26 S	31 E	WM	34	SW NE	6	35.4
26 S	31 E	WM	34	SE NE	5	31.7

This certificate describes that portion of the water right confirmed by Certificate 46666, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered *October 27, 2006* approving Transfer Application T-10109.

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.

WITNESS the signature of the Water Resources Director, affixed October 27, 2006.


Phillip C. Ward, Director



Abstract of Permit No. G-4374

11-208?
29

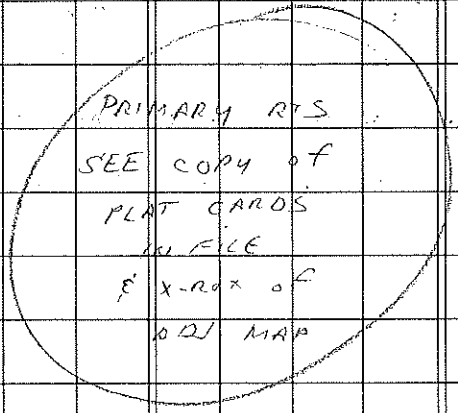
11/10-2-1
6-24-76
R.G.M.

501

Application No. G-4650 Certificate No.
 Name: Walter T. Neilven
 Address: 1099 Diamond Street, Burns, Oregon
 Source of water supply: A well TRIB. DONNER & BLITZEN RIVER
 Use: Supplemental Irrigation of 153^B acres
 Point of diversion: 1000' S. 20' 40" W. from NE cor. SW 1/4 NE 1/4, Sec. 34, being with Lot 6, (SW 1/4 NE 1/4), Sec. 34, T. 26 S., R. 31 E., W. B., county of Harney
 Number of acres: ~~155.9~~ 153^B
 1630' N. & 2750' W. from SE. COR. LOT 1 (NW 1/4 SW 1/4) SEC. 35

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
26S	31E	34	10	10	37.7	38.2													
		27	SW 1/4 NE 1/4																135
			SE 1/4 NE 1/4																10 ^B
			NE 1/4 SE 1/4																15 ^B
			LOT 1 (NE 1/4 SE 1/4)																23
			NW 1/4 SE 1/4																34 ^B
			SW 1/4 SE 1/4																73
			LOT 2 (SW 1/4 SE 1/4)																12
			SE 1/4 SE 1/4																30
		34	LOT 6 (SW 1/4 NE 1/4)																35 ^B
			LOTS (SE 1/4 NE 1/4)																312
																			153 ^B



Priority date: October 16, 1968
 Amount of water: 1.92 c.f.a.
 Time limit to begin construction: ~~May 23, 1970~~
 Time limit to complete construction: ~~10-1-70~~ extended to _____ extended to _____
 Time limit to completely apply water: ~~10-1-71~~ extended to _____ extended to _____

Remarks: This appropriation shall be limited to 1/30th of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein and shall be subject to such reasonable regulation by law as may be ordered by the proper state officer.

Basin 12, Vol.

APPL. G-4650

LAND IN SEC 27 SUPPL. TO THESE

ALL BLITZEN RIVER PRIMARY

SEC 34 THIS SUPPL.

TOWNSHIP 26 S RANGE 31 E W. M. SECTION 27

South of Malheur Lake

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER				
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE							
Tract 18				Tract 14				Tract 15				Tract 16				Tract 17						
Tract 19				Tract 14				Tract 15				Tract 16				Tract 17						
Tract 17								Lot 4 Lot 3 Lot 1				Lot 2										
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																						
Pt 600								Pt 831				Pt 831				192	30.9	40	Findings, Vol. 12 Page 580			
Pt 600												Part 600							Decree, Vol. 13 Page 522	15203		
Pt 600																			Findings, Vol. 12 Page 580			
Pt 600																			Decree, Vol. 13 Page 522	15204		
Pt 600																			Findings, Vol. 12 Page 580			
Pt 600																			Decree, Vol. 13 Page 522	15206		
Part 716.3				Part 800				Pt. 716.3				Pt. 716.3				7	20.8		Decree, Vol. 13 Page 525	15,224		
Part 800				Part 800				Pt. 800				Pt. 800							Decree, Vol. 14 Page 409			
Part 800				Part 800				Pt. 800				Pt. 800							Decree, Vol. 13 Page 525	15224		
TRACT 14, 16, 18																						

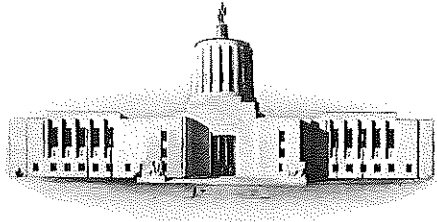
(SEE BACK OF CARD FOR PLAT OF SECTION)

TOWNSHIP 26 S RANGE 31 E W. M. SECTION 34

South of Malheur Lake

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE						
Lot 3 Lot 4				Lot 2 Lot 1				Lot 7 Lot 7 Lot 8				Lot 4 Lot 3									
Lot 6 Lot 5				Lot 7 Lot 7 Lot 8				Lot 4 Lot 3				Lot 4 Lot 3									
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																					
40 40				40 40 40 38.2				41.8 11				40 42.8 40 40							Findings, Vol. 1 Page 578		
40 40				40 40 40 38.2				41.8 11				40 42.8 40 40							Decree, Vol. 13 Page 519	15198	
40 40				40 40 40 38.2				41.8 11				40 42.8 40 40							Findings, Vol. 12 Page 580		
40 40				40 40 40 38.2				41.8 11				40 42.8 40 40							Decree, Vol. 13 Page 522	15203	
40 40				40 40 40 38.2				41.8 11				40 42.8 40 40							Decree, Vol. 13 Page 528	15231	
40 40				40 40 40 38.2				41.8 11				40 42.8 40 40							Decree, Vol. 13 Page 545		26524
40 40				40 40 40 38.2				41.8 11				40 42.8 40 40							Decree, Vol. 13 Page 547	15234	
40 40				40 40 40 38.2				41.8 11				40 42.8 40 40							Decree, Vol. 14 Page 412	15234	
40 40				40 40 40 38.2				41.8 11				40 42.8 40 40							Decree, Vol. 14 Page 412	15234	
40 40				40 40 40 38.2				41.8 11				40 42.8 40 40							G-1536 G-1722	31861	
40 40				40 40 40 38.2				41.8 11				40 42.8 40 40							G-2459 G-2274		
40 40				40 40 40 38.2				41.8 11				40 42.8 40 40							G-4650 G-4374		

(SEE BACK OF CARD FOR PLAT OF SECTION)



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 97310
May 29, 1970

REFER TO G-4650
FILE NO. _____

Walter T. McEwen
1099 Diamond Street
Burns, Oregon 97720

Gentlemen:

This will acknowledge receipt of your notice to the effect that complete application of water has been made under permit No. G-4374.

Pursuant to your report and in line with the general practice of this office, a survey will be made at a later date.

After this survey, proof may be made and certificate issued covering the actual use of water as found by the engineer. In case of irrigation, any lands described in the permit that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the permit which you hold will be valid evidence of the water right in question so long as you continue to use the water.

Very truly yours,

CHRIS L. WHEELER
State Engineer

Form 128

cjs

Abstract of Permit No. G-4374

11-208?

1916-2-1
 6-24-76
 R.G.M.

Application No. G-4650 Certificate No.

Name: Walter T. McIwen
 Address: 1099 Diamond Street
 Burns, Oregon

Source of water supply: A well TRIB. DONNER & BLITZEN RIVER

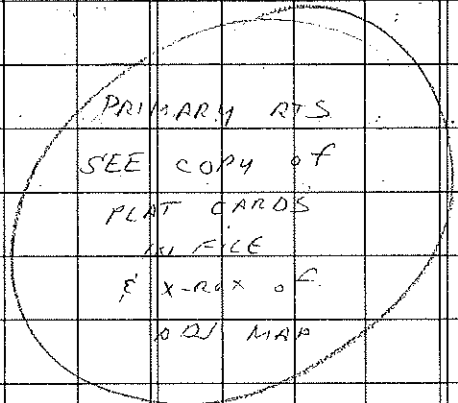
Use: Supplemental irrigation of 153^B acres

Point of diversion: 1000' S. 2° 40' W. from NE cor. Sec. 34, being with Lot 6, (SW & NE 1/4) Sec. 34, T. 26 S., R. 31 E., W. M., county of Harney

Number of acres: ~~155.9~~
 1630' N. & 2750' W. from SE. COR. LOT 1 (NW 1/4 SW 1/4) SEC. 35

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
26S	31E	34	10	10	37.7	38.2													
		27	SW 1/4 NE 1/4																13 ^E
			SE 1/4 NE 1/4																10 ^B
			NE 1/4 SE 1/4																15 ^B
			LOT 1 (NE 1/4 SE 1/4)																23
			NW 1/4 SE 1/4																34 ^E
			SW 1/4 SE 1/4																7 ^E
			LOT 2 (SW 1/4 SE 1/4)																12
			SE 1/4 SE 1/4																30
		39	LOT 6 (SW 1/4 NE 1/4)																35 ^E
			LOTS (SE 1/4 NE 1/4)																31 ^E
																			153 ^B



Priority date: October 16, 1968

Amount of water: 1.92 c.f.a.

Time limit to begin construction: ~~May 23, 1970~~

Time limit to complete construction: ~~10-1-70~~ extended to _____ extended to _____

Time limit to completely apply water: ~~10-1-71~~ extended to _____ extended to _____

Remarks: This appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year; ~~provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.~~

ES-12, Vol.

APPL. G-4650

LAND IN SEC 27 SUPPL. TO THESE

ALL BATTEN RIVER PRIMARY

SEC 34 THIS SUPPL. TO

TOWNSHIP 26 S. RANGE 31 E. W. M. SECTION 27

South of Malheur Lake

NE				NW				SW				SE				APPLICA-TION NUMBER	PERMIT NUMBER	CERTIFI-CATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
Tract 18				Tract 14				Tract 15				Tract 17						
Tract 14				Tract 14				Tract 16				Tract 17						
Tract 17								Lot 4 Lot 3 Lot 1				Lot 2						
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																		
Pt. 600				Pt. 831				Pt. 716.3				Pt. 800				192	30.9	40
Pt. 716.3				Pt. 800				Pt. 716.3				Pt. 800				Findings, Vol. 12 Page 580		
Pt. 800				Pt. 800				Pt. 800				Pt. 800				Decree, Vol. 13 Page 522 15203		
Pt. 800				Pt. 800				Pt. 800				Pt. 800				Findings, Vol. 12 Page 580		
Pt. 800				Pt. 800				Pt. 800				Pt. 800				Decree, Vol. 13 Page 522 15204		
Pt. 800				Pt. 800				Pt. 800				Pt. 800				Findings, Vol. 12 Page 580		
Pt. 800				Pt. 800				Pt. 800				Pt. 800				Decree, Vol. 13 Page 522 15206		
Pt. 800				Pt. 800				Pt. 800				Pt. 800				Decree, Vol. 13 Page 525 15224		
Pt. 800				Pt. 800				Pt. 800				Pt. 800				Decree, Vol. 14 Page 409		
Pt. 800				Pt. 800				Pt. 800				Pt. 800				Decree, Vol. 13 Page 525 15224		

(SEE BACK OF CARD FOR PLAT OF SECTION)

TOWNSHIP 26 S. RANGE 31 E. W. M. SECTION 34

South of Malheur Lake

NE				NW				SW				SE				APPLICA-TION NUMBER	PERMIT NUMBER	CERTIFI-CATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
Lot 3 Lot 4				Lot 2 Lot 1				Lot 7 Lot 7 Lot 8				Lot 4 Lot 3						
Lot 6 Lot 5				Lot 7 Lot 7 Lot 8				Lot 7 Lot 7 Lot 8				Lot 4 Lot 3						
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																		
40 40				40 40				40 38.2				41.2 11				40	42.8	40 40
40 40				40 40				40 38.2				41.2 11				Findings, Vol. 1 Page 518		
40 40				40 40				40 38.2				41.2 11				Decree, Vol. 13 Page 519 15198		
40 40				40 40				40 38.2				41.2 11				Findings, Vol. 12 Page 530		
40 40				40 40				40 38.2				41.2 11				Decree, Vol. 13 Page 522 15203		
40 40				40 40				40 38.2				41.2 11				Decree, Vol. 13 Page 528 15231		
40 40				40 40				40 38.2				41.2 11				Decree, Vol. 13 Page 545 26524		
40 40				40 40				40 38.2				41.2 11				Decree, Vol. 13 Page 547 15234		
40 40				40 40				40 38.2				41.2 11				Decree, Vol. 14 Page 412 28574		
40 40				40 40				40 38.2				41.2 11				Decree, Vol. 14 Page 412 15234		
40 40				40 40				40 38.2				41.2 11				G-1536 G-1422 31861		
40 40				40 40				40 38.2				41.2 11				G-2459 G-2274		
40 40				40 40				40 38.2				41.2 11				G-4650 G-4374		

(SEE BACK OF CARD FOR PLAT OF SECTION)

Suppl. to Decrees
No Recent Paim. Map

Abstract of Permit No. C-4374

Application No. C-4650 Certificate No.

Name: Walter T. McEwen
Address: 1099 Diamond Street, Burns, Oregon
Source of water supply: A well TRIB. DONNER & BLITZEN RIVER
Use: Supplemental irrigation of 153^B acres

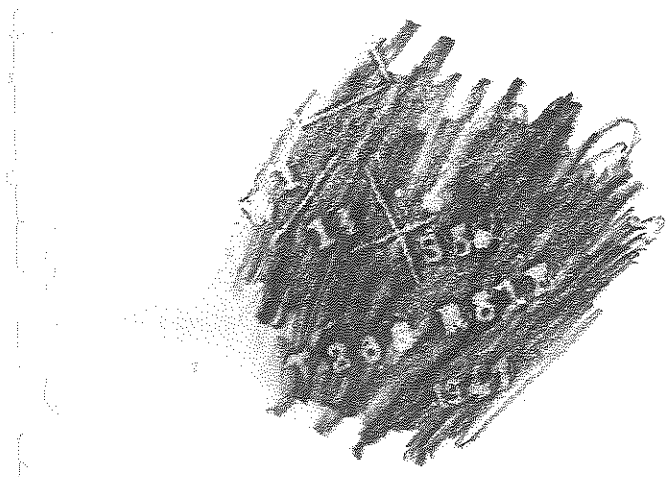
Point of diversion: 1000' S. 20' 40' W. from NE cor. SW 1/4, Sec. 34, being within Lot 6, (SW 1/4 NE 1/4) Sec. 34, T. 26 S., R. 31 E., W. 1., county of Harney
Number of acres: 153.9
1630' N. & 2750' W. FROM S.E. COR. LOT 1 (NW 1/4 SW 1/4) SEC. 35

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
26S	31E	34	LOT 10				LOT 10				LOT 10				LOT 10			
		27	SW 1/4 NE 1/4								PRIMARY RTS				135			
			SE 1/4 NE 1/4								SEE COPY OF				100			
			NE 1/4 SE 1/4								PLAT CARDS				150			
			LOT 1 (NE 1/4 SE 1/4)								IN FILE				23			
			NW 1/4 SE 1/4								PART OF				34			
			SW 1/4 SE 1/4								OLD MAP				73			
			LOT 2 (SW 1/4 SE 1/4)												12			
			SE 1/4 SE 1/4												30			
		34	LOT 6 (SW 1/4 NE 1/4)												35			
			LOTS (SE 1/4 NE 1/4)												31			
															153 ^B			

Priority date: October 16, 1968
Amount of water: 1.92 c.f.s.
Time limit to begin construction: May 15, 1970
Time limit to complete construction: 10-1-70 extended to extended to
Time limit to completely apply water: 10-1-71 extended to extended to

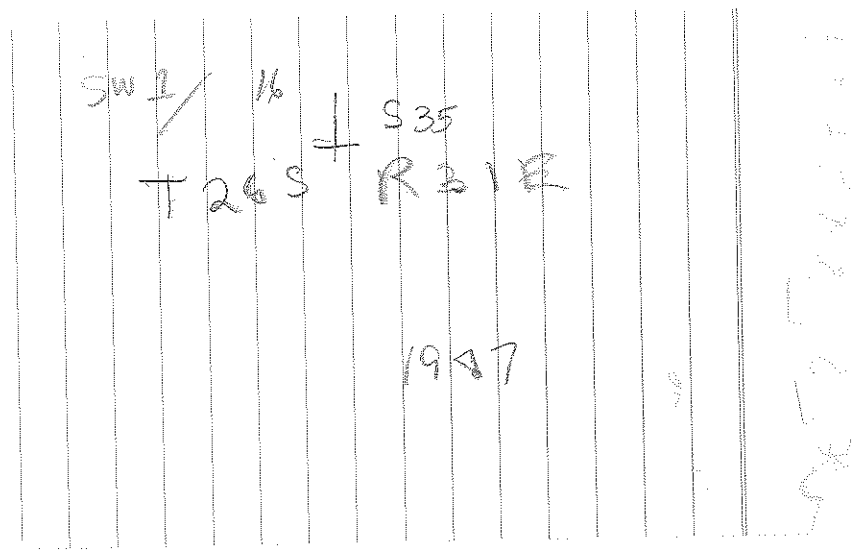
Remarks: This appropriation shall be limited to 1/80th of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.



1976-Z-1
6-24-76
R.G.M.

NOV

Basin 12, Vol.



INFO: GLENN GRINDSTASS, foreman of Walter McQueen

The N. 80 acres described by permit is not in. from the well to date. Water from well does not cover approx 80 acre field 1/2 mile N. of permit area. We surveyed this also.

Water from well runs into a large ditch & goes N. to the N. field where it is re-pumped. Also pumps from ditch at S. field.

All is supplemental to Blitzen River.

WELL - 12" CASING, S.W.L. 10' DEPTH?

ON WELL { MOTOR - HEWMAN 25HP @ 1800 R.P.M.
PUMP - PEERLESS D.D. TURBINE 8" DISCH. } OUTPUT SAID 900-950 G.P.M.

S. FIELD { MOTOR - 25HP @ 3550 R.P.M.
PUMP - JACUZZI OD. CENTR. 4" X 5"

N. FIELD { MOTOR - 30HP @ 3520 R.P.M. CENTURY
PUMP - JACUZZI 4" X 6" D.D. CENTR.

PIPE - 2300' - 6" MAIN BURIED

1/4 MILE - 6" ALUM MAIN

4300' - 4" WHEEL LINE

DITCH - APPROX 4' BOT, 7' TOP 1 1/2' DEEP

HEADS - 45 R.B. 30'S AVG. 3/16 X 0 N. FIELD } ALL MAX.
63 R.B. 30'S AVG. 1/4 X 0 S. FIELD }

CROP - ALFALFA

LIFT - 0

TIE - 1976-2-1 S.E. COR. NW 1/4 SW 1/4 SEC. 35, BRASS CAP AT

FC. COR.

DUTY = 100 1.92 cfs

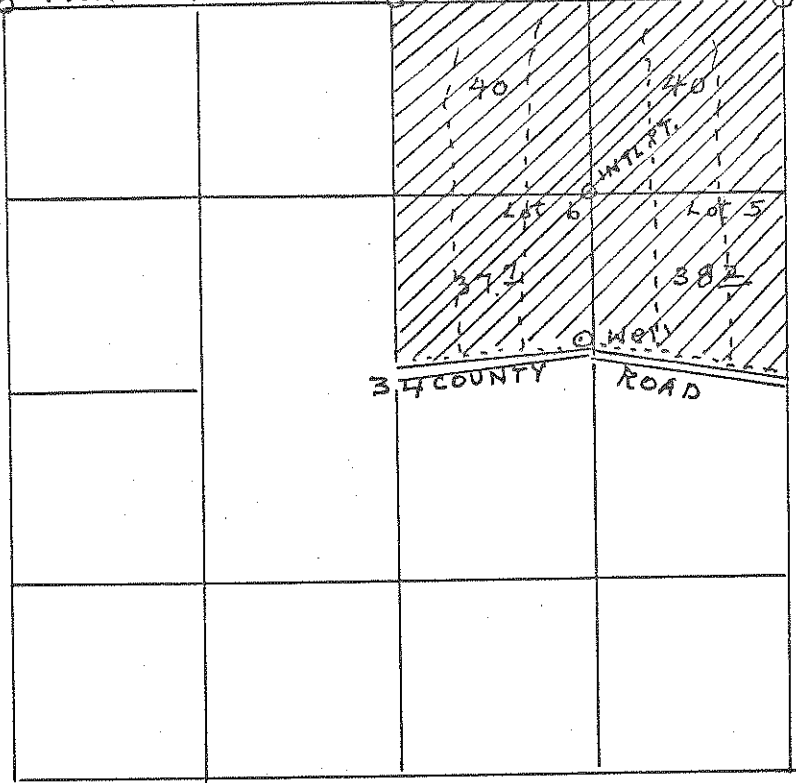
1103 @ 50' = 45 X 7.24 63 X 6.0 = 1.56

R. P. H. C. C. 55 X 6.6 2.79

6-24-76

R.G. Menden

Co. found TWP. 26 S.R. 31 E.W.M Co. SOUTH MALHEUR Co. found



RECEIVED
 OCT 16 1968
 STATE ENGINEER
 SALEM OREGON

SCALE 4" = 1 MILE

I, HEREBY CERTIFY THAT THIS MAP WAS MADE FROM NOTES TAKEN DURING AN ACTUAL SURVEY MADE IN THE FIELD AND REPRESENTS THE LOCATION OF A WELL AND LANDS IN THE APPLICATION OF W.T. McEWEN TO APPROPRIATE GROUND WATERS FOR SUPPLEMENTAL IRRIGATION.

DATED THIS 25 DAY OF SEPT. 1968

REGISTERED
 OREGON
 LAND SURVEYOR

B.N. Young

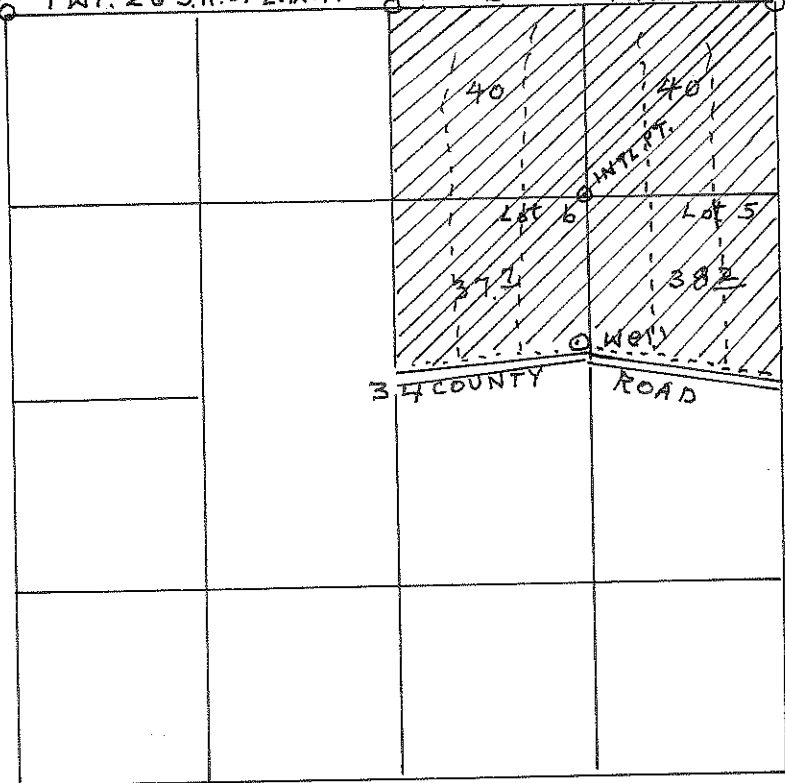
JULY 7, 1944
 C. N. YOUNG
 43

Application No. G-4650

Permit No. G-4344

9.09
 7.6

CoY found TWP. 26 S.R. 31 E.W.M CoY SOUTH MALHEUR CoY found



RECEIVED
OCT 10 1968
STATE ENGINEER
SALEM OREGON

SCALE 4" = 1 MILE

I, HEREBY CERTIFY THAT THIS MAP WAS MADE FROM NOTES TAKEN DURING AN ACTUAL SURVEY MADE IN THE FIELD AND REPRESENTS THE LOCATION OF A WELL AND LANDS IN THE APPLICATION OF W.T. McEWEN TO APPROPRIATE GROUND WATERS FOR SUPPLEMENTAL IRRIGATION.

DATED THIS 25 DAY OF SEPT. 1968

REGISTERED
OREGON
LAND SURVEYOR

C.N. Young

JULY 7, 1944
C. N. YOUNG
43

Application No. G-4650
Permit No. G-4374

STATE OF OREGON
COUNTY OF HARNEY

RECEIVED
OCT 13 1978
WATER RESOURCES DEPT
SALEM, OREGON

Proof of Appropriation of Water

WALTER T. MC EWEN

of 1099 Diamond Street, Burns, State of Oregon, 97720,
has applied beneficially the waters of
a well

a tributary of Donner & Blitzen River for the purpose of
supplemental irrigation of 153.8 acres

under Permit No. G-4374 and that the use of said waters has been completed under the
terms of said permit; that the priority of the right dates from

October 16, 1968
that the amount of water for the purposes aforesaid, has been actually beneficially used in the
amount of

1.92 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well.
The well is located in the Lot 6 (SW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 34, T. 26 S., R. 31 E., W. M.;
1630 feet North and 2750 feet West from SE Corner, Lot 1 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 35.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second
per acre, or its equivalent for each acre irrigated and shall be further limited
to a diversion of not to exceed 3 acre feet per acre for each acre irrigated
during the irrigation season of each year,

and shall
conform to such reasonable rotation system as may be ordered by the proper state officer.

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

13.5 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$	35.4 acres Lot 6 (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
10.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$	31.7 acres Lot 5 (SE $\frac{1}{4}$ NE $\frac{1}{4}$)
15.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 34
2.3 acres Lot 1 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)	
34.4 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$	
7.3 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$	
1.2 acres Lot 2 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)	
3.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$	
Section 27	

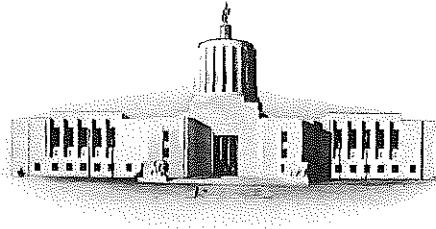
T. 26 S., R. 31 E., W. M.

I have read the above and foregoing proof of appropriation of water; I know the contents
thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of October,

1977.

Walter T. McEwen
.....



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 97310
May 29, 1970

REFER TO G-4650
FILE NO. _____

Walter T. McEwen
1099 Diamond Street
Burns, Oregon 97720

Gentlemen:

This will acknowledge receipt of your notice to the effect that complete application of water has been made under permit No. G-4374.

Pursuant to your report and in line with the general practice of this office, a survey will be made at a later date.

After this survey, proof may be made and certificate issued covering the actual use of water as found by the engineer. In case of irrigation, any lands described in the permit that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the permit which you hold will be valid evidence of the water right in question so long as you continue to use the water.

Very truly yours,

CHRIS L. WHEELER
State Engineer

Form 128

cjs

G-4650

October 22, 1968

Walter T. McEwen
1099 Diamond Street
Burns, Oregon 97720

Dear Mr. McEwen:

This will acknowledge receipt of your application for a permit to appropriate 1000.0 gallons of water per minute from a well for the supplemental irrigation of 155.9 acres, a map and the fee of \$33.30 for which our receipt No. 11838 is enclosed.

This application has been filed and numbered G-4650 and is in satisfactory form for approval by issuance of a permit.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
Larry W. Jebousek
Assistant

LWJ:hls
Enclosure