

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

YAMHILL COUNTY

IN THE MATTER OF THE APPLICATION)
OF R.L. WALKER FARMS, INC., FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4137

On January 19, 1979, an application was filed in the office of the Water Resources Director by R. L. Walker Farms, Inc., by Don R. Walker, President, for approval of a change in place of use of water from South Fork Yamhill River, pursuant to ORS 540.510 to 540.530.

The certificate recorded at page 23198, Volume 16, State Record of Water Right Certificates, in the name of H. M. Hawkins, describes a right which includes the use of water from South Fork Yamhill River for irrigation of a certain 0.7 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 5.9 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 13.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 9.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 0.1 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, all as projected within D.L.C. No. 37, and 1.0 acre in Lot 8 (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 35, Township 5 South, Range 5 West, W.M., with a date of priority of July 23, 1945.

Water for the said right is diverted from a point located 16 chains North and 4 chains East from the Southwest Corner of Section 35, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 5 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 5.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 6.4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 14.7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, all as projected within D.L.C. Nos. 42 and 67, of Section 2, Township 6 South, Range 5 West, W.M.

Mr. Michael F. Ladd, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

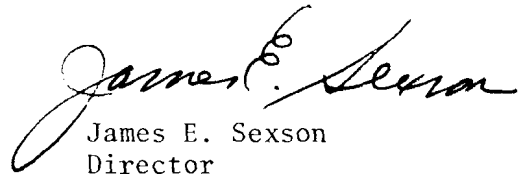
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order and the order approving transfer application No. 3625, the certificate of water right recorded at page 23198, Volume 16, State Record of Water Right Certificates, be canceled; and in lieu thereof a new confirming certificate of water right be issued to the applicant herein.

Dated at Salem, Oregon this 3rd day of April, 1979.



James E. Sexson
Director