

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

IN THE MATTER OF THE APPLICATION OF)
RICHARD DODGE (JUNIPER FLAT DISTRICT)
IMPROVEMENT COMPANY) FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 5759

On February 19, 1986, an application was filed in the office of the Water Resources Director by Richard Dodge for approval of a change in place of use of water from Clear Creek, Frog Creek and Clear Lake Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

Pursuant to the provisions of ORS 540.530, proof has been made to the satisfaction of the Water Resources Director that a transfer of a portion of the right described by Certificate 48850 has been completed under the terms of Transfer 5284 in the name of Robert Holman for the use of water from Clear Creek, Frog Creek, and Clear Lake Reservoir for irrigation of 0.5 acre in NE 1/4 SE 1/4 and 0.3 acre in SE 1/4 SE 1/4, Section 9; 1.2 acres in NW 1/4 SW 1/4, Section 10; 2.0 acres in SW 1/4 NW 1/4, Section 33 and 2.0 acres in NE 1/4 NW 1/4, Section 34, Township 5 South, Range 12 East, WM, with dates of priority of July 1, 1903 and November 11, 1915.

These lands have a supplemental right under Certificate 51539, with a date of priority of November 11, 1915.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom to a certain 6.0 acres in NE 1/4 SW 1/4, Section 18, Township 5 South, Range 12 East, WM.

These lands are within the Juniper Flat District Improvement Company and the board of directors of said Company has approved the change in place of use at a regular meeting.

Thomas J. Paul, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

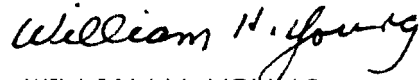
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use is approved, without loss of priority.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1987.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which the water is transferred hereby, the change of water right shall be considered perfected, and at a later date a certificate of water right shall be issued to Juniper Flat District Improvement Company confirming this and other changes within the District, and superseding Certificate 48850.

Dated at Salem, Oregon, this 17th day of April, 1986.



WILLIAM H. YOUNG
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

A party may file objections and exceptions to the Proposed Order with the Water Resources Commission. Such objections and exceptions must be filed within 45 days from the date of service (date of mailing) of the Proposed Order on the party. The Commission will provide opportunity for oral argument in support of written objections and exceptions. If no objections and exceptions are filed within the time allowed, the Proposed Order will automatically become the Final Order of the Commission.

0337/J
4076D