

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CROOK COUNTY

IN THE MATTER OF THE APPLICATION OF)
DARRELL DAVIS (OCHOCO IRRIGATION) ORDER APPROVING
DISTRICT) FOR APPROVAL OF A CHANGE) TRANSFER 6094
IN PLACE OF USE OF WATER)

On April 19, 1988, an application was filed in the office of the Water Resources Director by Darrell Davis for approval of a change in place of use of water from surface water, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 55974, Volume 51, State Record of Water Right Certificates, in the name of the Ochoco Irrigation District, describes a right which includes the use of water from Ochoco, McKay, Dry and Johnson Creeks, and all waste and return water flowing in all unnamed waterways and Ochoco Reservoir for irrigation of a certain 7.5 acres NE1/4 SW1/4 and 6.3 acres SE1/4 SW1/4, Section 24; 11.9 acres SW1/4 NW1/4, 8.5 acres SW1/4 SW1/4, 2.7 acres NE1/4 SE1/4 and 10.0 acres SE1/4 SE1/4, Section 25, Township 14 South, Range 16 East, WM; and 0.8 acre NW1/4 SW1/4 and 0.2 acre SW1/4 SW1/4, Section 30, Township 14 South, Range 17 East, WM, with dates of priority of March 13, 1916 for McKay Creek and August 10, 1917, from all other sources herein named. These lands are irrigated by means of the Ochoco Feed Canal.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom to a certain 16.0 acres NE1/4 NE1/4, 4.0 acres NW1/4 NE1/4, 12.8 acres SW1/4 NE1/4, 4.0 acres SE1/4 NE1/4, 1.5 acres NE1/4 NW1/4 and 9.6 acres SE1/4 NW1/4, Section 16, Township 14 South, Range 16 East, WM.

The lands involved herein are within the boundaries of the Ochoco Irrigation District and the Board of Directors of said District approved the proposed change at a regular meeting.

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

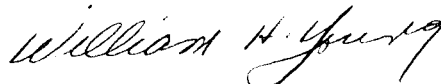
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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

It is FURTHER ORDERED that the subject water right is hereby severed from the place of use described in Certificate 55974, and shall be beneficially used as authorized by this order on or before October 1, 1990.

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 Ochoco Irrigation District confirming this and other changes within the District, and superseding Certificate 55974.

Dated at Salem, Oregon this 31st day of March, 1989.


WILLIAM H. YOUNG
Director

NOTE: Approval of the 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.