

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

IN THE MATTER OF THE APPLICATION OF)
D A. HARVEY FOR APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 4994

On February 24, 1982, an application was filed in the office of the Water Resources Director by D. A. Harvey for approval of a change in place of use of water from Rock Creek, Threemile Creek, North Fork Gate Creek and Rock Creek Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 46367, Volume 39, State Record of Water Right Certificates, in the name of Rock Creek District Improvement Company, describes a right which includes the use of water from Rock Creek, Threemile Creek, North Fork Gate Creek and Rock Creek Reservoir, for irrigation of 7.0 acres in NE 1/4 NE 1/4 and 8.6 acres in NE 1/4 NW 1/4, Section 22, Township 4 South, Range 12 East, WM, with a date of priority of March 13, 1939.

Water for the said right is diverted through the Rock Creek Ditch.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss or priority, to irrigate in lieu thereof 1.6 acres in NE 1/4 SW 1/4, Section 14, 7.0 acres in NE 1/4 SE 1/4, Section 19, and 7.0 acres in SW 1/4 NE 1/4, Section 20, Township 4 South, Range 12 East, WM.

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.

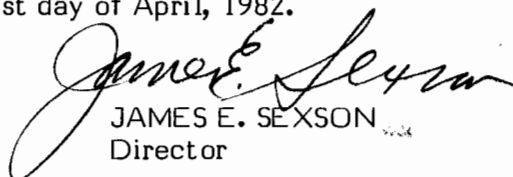
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the 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, 1983.

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 and prior orders, a confirming certificate of water right shall be issued to Rock Creek District Improvement Company.

Dated at Salem, Oregon this 21st day of April, 1982.


JAMES E. SEXSON
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.

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