

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
WALTER A. AND CHRISTINE M. NANCE) ORDER APPROVING
(EAST FORK IRRIGATION DISTRICT) FOR) TRANSFER 5910
APPROVAL OF A CHANGE IN PLACE OF USE)
OF WATER)

On February 23, 1987, an application was filed in the office of the Water Resources Director by Walter A. and Christine M. Nance for approval of a change in place of use of water from East Fork Hood River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Hood River County, Oregon, entered August 30, 1977, In the Matter of the Determination of the Relative Rights to the use of the waters of Hood River and its Tributaries, a water right, tabulated at page 305, Volume 17, was allowed in the name of East Fork Irrigation District for the use of the waters of East Fork Hood River, with a date of priority of November 25, 1895, for irrigation of, among other lands, a certain 0.5 acre in NE 1/4 NW 1/4 and 0.5 acre in NW 1/4 NW 1/4, Section 31, Township 3 North, Range 11 East, WM, as evidenced by the certificate recorded at page 46952, Volume 39, State Record of Water Right Certificates. These lands are irrigated by means of the East Fork Canal.

The applicants herein, owners of the lands above described, propose to transfer the water right therefrom to a certain other 0.5 acre in NE 1/4 NW 1/4 and 0.5 acre in NW 1/4 NW 1/4 of Section 31, Township 3 North, Range 11 East, WM.

The lands involved herein are within the boundaries of the East Fork Irrigation District and the Board of Directors of said District approved the proposed change in place of use of water at a regular meeting.

Larry Toll, 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.

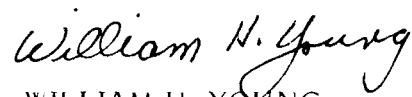
NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use is approved, without loss of priority.

It is FURTHER ORDERED that the subject water right is hereby severed from the place of use described in Certificate 46952, and shall be beneficially used as authorized by this order on or before October 1, 1988.

Amending Sp. Or. V. 42p. 385

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 East Fork Irrigation District confirming this and other changes within the District, and superseding Certificate 46952.

Dated at Salem, Oregon, this 3rd day of April, 1987.


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.

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