

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF THE APPLICATION OF)
JIM JOE AND NORMA CULBERTSON)
FOR APPROVAL OF A CHANGE IN)
PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 5372

On September 19, 1983, an application was filed in the office of the Water Resources Director by Jim Joe and Norma Culbertson for approval of a change in place of use of water from Haymaker Gulch, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 43073, Volume 35, State Record of Water Right Certificates, in the name of Jim Joe and Norma Culbertson, describes a right which includes the use of not to exceed 0.21 cubic foot per second from Haymaker Gulch, for irrigation of 10.0 acres in SW 1/4 NE 1/4 and 2.0 acres in SE 1/4 NE 1/4, Section 16, Township 17 South, Range 44 East, WM, with a date of priority of September 12, 1961.

Water for the said right is diverted from a point located 1120 feet South and 670 feet West from the Northeast Corner of the NW 1/4 SE 1/4 of Section 16, being within the NW 1/4 SE 1/4 of Section 16, Township 17 South, Range 44 East, WM.

The applicants herein, owners of the lands above described, propose to transfer the right therefrom to a certain 12.0 acres in SW 1/4 SE 1/4, Section 16, Township 17 South, Range 44 East, WM.

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

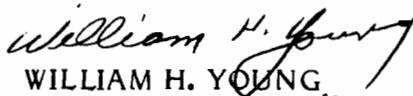
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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, 1985.

It is FURTHER ORDERED that the certificate recorded at page 43073, Volume 35, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and 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, a confirming certificate of water right shall be issued to the applicants herein.

Dated at Salem, Oregon this 16th day of March, 1984.


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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