

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF THE APPLICATION)
OF ROBERT O. KNUDSON FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER)

ORDER APPROVING
TRANSFER 4820

On July 13, 1981, an application was filed in the office of the Water Resources Director by Robert O. Knudson for approval of a change in place of use of water from Malheur River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Malheur County, Oregon, entered May 13, 1925, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Malheur River and Its Tributaries, a water right was established in the name of Pacific Livestock Company, tabulated in Volume 8, page 302, Order Record of the Water Resources Director, for use of the waters of Malheur River for irrigation of, among other lands, a certain 4.0 acres in NW 1/4 NE 1/4 and 6.5 acres in SE 1/4 NW 1/4, Section 7, Township 20 South, Range 42 East, WM, with a date of priority of May 10, 1884, as evidenced by the certificate recorded at page 6989, Volume 7, State Record of Water Right Certificates.

Water for the said right is diverted, through the Harper South Side Ditch, from a point located 720 feet North and 2,010 feet West from the Southeast Corner of Section 13, being within the SW 1/4 SE 1/4 of Section 13, Township 20 South, Range 41 East, WM.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 1.0 acre in NW 1/4 SE 1/4 and 9.5 acres in SW 1/4 SE 1/4, Section 5, Township 20 South, Range 42 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 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 order and prior orders, confirming certificates of water right shall be issued, and the certificate recorded at page 6989, Volume 7, State Record of Water Right Certificates shall be canceled.

Dated at Salem, Oregon this 17th day of September, 1981.


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.