

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

YAMHILL COUNTY

IN THE MATTER OF THE APPLICATION OF )  
HERRING BROTHERS FOR APPROVAL OF )  
A CHANGE IN PLACE OF USE OF WATER )  
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ORDER APPROVING  
TRANSFER 4859

On August 7, 1981, an application was filed in the office of the Water Resources Director by Bland Herring for Herring Brothers for approval of a change in place of use of water from Williamson Creek and Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 28756, Volume 21, State Record of Water Right Certificates, in the name of Frederick C. Herring, describes a right which includes the use of not to exceed 0.074 cubic foot per second from Williamson Creek and Reservoir for irrigation of a certain 9.0 acres in SW 1/4 NW 1/4, Section 14, Township 3 South, Range 3 West, WM, with a date of priority of August 31, 1951.

Water for the said right is diverted from a point located 2,030 feet North and 450 feet West from the Southeast Corner of Williamson DLC 46, being within the NW 1/4 SE 1/4 of Section 14, Township 3 South, Range 3 West, WM.

The applicants herein, owners of the lands above described, propose to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 9.0 acres in SW 1/4 SE 1/4, Section 14, Township 3 South, Range 3 West, WM.

Michael F. Ladd, 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 the certificate recorded at page 28756, Volume 21, 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 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.

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