

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
WASCO COUNTY

IN THE MATTER OF THE APPLICATION OF )  
IRL DAVIS, JR. FOR APPROVAL OF A )  
CHANGE IN PLACE OF USE OF WATER )

ORDER APPROVING  
TRANSFER 5551

On October 12, 1984, an application was filed in the office of the Water Resources Director by Irl Davis, Jr. for approval of a change in place of use of water from Badger Creek and Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 46368, Volume 39, State Record of Water Right Certificates, in the name of Badger Improvement District, describes a right which includes the use of not to exceed 0.25 cubic foot per second from Badger Creek and Reservoir, for irrigation of 23.7 acres in SW 1/4 NE 1/4, Section 9, Township 4 South, Range 12 East, WM, with a date of priority of March 22, 1961.

These lands also have supplemental rights from Badger Creek and Pine Hollow Reservoir under Certificate 51486, with a date of priority of July 23, 1968 and from Pine Hollow Reservoir under Certificate 51487, with a date of priority of May 1, 1975.

Water for the said right is diverted, through the Highland Ditch, from a point located 1290 feet South and 550 feet West from the Center of Section 29, being within the NE 1/4 SW 1/4 of Section 29, Township 3 South, Range 11 East, WM.

The applicant herein, owner of the lands above described, proposes to transfer the right therefrom to a certain 8.8 acres NE 1/4 NE 1/4, 2.7 acres NW 1/4 NE 1/4, Section 13, Township 4 South, Range 12 East, WM; 2.7 acres SW 1/4 SW 1/4, 8.9 acres SE 1/4 SW 1/4, Section 7; 0.6 acre NW 1/4 NW 1/4, Section 18, Township 4 South, Range 13 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.

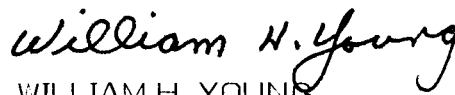
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the 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, 1986.

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 Badger Improvement District confirming this and other changes within the District, and superseding Certificate 46368.

Dated at Salem, Oregon, this 14th day of June, 1985.

  
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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