

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION)
OF MRS. WALTER CARRINGTON FOR THE)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM NORTH STREAM)

ORDER APPROVING
TRANSFER NO. 3290

On August 7, 1975, Mrs. Walter Carrington filed an application for transfer of water right in the office of the Water Resources Director proposing a change in place of use under an existing right of record to appropriate not to exceed 0.06 cubic foot per second of water from an unnamed stream with a date of priority of June 3, 1939, for irrigation of 5.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, Township 2 North, Range 4 West, W.M., being a portion of the right evidenced by the certificate recorded at Page 20227, Volume 14, State Record of Water Right Certificates.

The applicant herein, owner of the lands above described, proposes to divert the water at the point located South 19 degrees 46 minutes West, 1710 feet from the Northeast corner of Section 33, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, Township 2 North, Range 4 West, W.M., and apply the water to irrigation of 2.0 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 3.0 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 33.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

Mr. Clayton J. Gardner, Watermaster of District No. 1, has filed a statement to the effect that the proposed change in place of use of water may be made without injury to existing rights.

No objection 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 change in place of use of water is approved and the water right hereinbefore described as appurtenant to 5.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, Township 2 North, Range 4 West, W.M., with a date of priority of June 3, 1939, be severed therefrom and simultaneously and without loss of priority transferred to 2.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 3.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, Township 2 North, Range 4 West, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1977.

It is FURTHER ORDERED that certificate of water right heretofore issued to Julius Winterfield and recorded at Page 20227, Volume 14, 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 receipt of proof satisfactory to the Water Resources Director of application of water to beneficial use, a certificate of water right shall be issued to Mrs. Walter Carrington confirming the extent to which water has been applied beneficially.

Dated at Salem, Oregon, this 4th day of June, 1976.

By *James E. Sexson* Deputy
JAMES E. SEXSON
Director *JWC*