

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Wasco County

IN THE MATTER OF THE APPLICATION)
OF CLARENCE E. QUIRK FOR THE)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM FIFTEENMILE)
CREEK)

ORDER APPROVING
TRANSFER NO. 3414

On May 19, 1976, Clarence E. Quirk filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from Fifteenmile Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Clarence E. Quirk and recorded at Page 32363, Volume 24, State Record of Water Right Certificates, confirmed a right to the use of not to exceed 0.54 cubic foot per second of water from Fifteenmile Creek for the irrigation of, among other lands, 3.9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 0.1 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, Township 2 North, Range 15 East, W.M., with a date of priority of April 14, 1960. These lands are irrigated from a point of diversion located 40 feet South and 2300 feet East from the Northwest corner of Section 31, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 2 North, Range 15 East, W.M.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 4.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 2 North, Range 15 East, W.M.

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. Thomas J. Paul, Watermaster of District No. 3, 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 3.9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 0.1 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, Township 2 North, Range 15 East, W.M., with a date of priority of April 14, 1960, be severed therefrom and simultaneously and without loss of priority transferred to 4.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 2 North, Range 15 East, W.M.

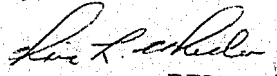
It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1977.

On November 5, 1969, an order was entered by the State Engineer approving an application designated as Transfer Q-4 for a change in point of diversion for part of the right confirmed by the certificate recorded at Page 32363. Said order canceled the certificate recorded at Page 32363 and provided for a certificate to be issued upon completion of the change in point of diversion confirming that portion of the right involved in the change and the balance of the right. Satisfactory proof of completion of the change in point of diversion has been received.

It is FURTHER ORDERED that no certificate be issued as provided by the order entered November 5, 1969, and upon receipt of proof satisfactory to the Water Resources Director of completion of the change in place of use

authorized herein, a certificate of water right shall be issued to Clarence E. Quirk confirming that part of the right involved in the change in point of diversion, the extent to which the water has been applied beneficially as authorized herein, and the balance of the right not involved in the changes.

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



DEPUTY

JAMES E. SEXSON
Director