

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION OF)
DONALD BIEBERSTEDT FOR APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 5029

On April 30, 1982, an application was filed in the office of the Water Resources Director by Donald Bieberstedt for approval of a change in place of use of water from Baker Gulch, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 19515, Volume 14, State Record of Water Right Certificates, in the name of Donald Bieberstedt, describes a right which includes the use of not to exceed 0.18 cubic foot per second from Baker Gulch, for irrigation of 2.0 acres in NE 1/4 SE 1/4, 6.5 acres in SE 1/4 SE 1/4, Section 31 and 6.0 acres in NW 1/4 SW 1/4, Section 32, Township 35 South, Range 1 East, WM, with a date of priority of August 18, 1947.

Water for the said right is diverted, through the Bieberstedt Ditch, from a point located 97 feet South and 1,160 feet East from the West Quarter Corner of Section 32, being within the NW 1/4 SW 1/4 of Section 32, Township 35 South, Range 1 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 2.7 acres in NW 1/4 SW 1/4 and 11.8 acres in SW 1/4 SW 1/4, Section 32, Township 35 South, Range 1 East, WM.

David C. Hendrix, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

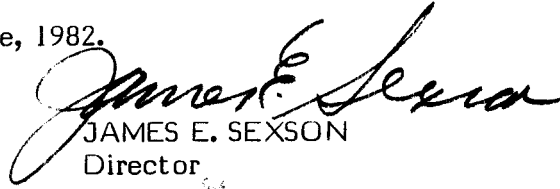
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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 19515, 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 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 applicant herein.

Dated at Salem, Oregon this 8th day of June, 1982.



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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