

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
WASCO COUNTY

IN THE MATTER OF THE APPLICATION )  
OF GLENN CHASTAIN FOR APPROVAL ) ORDER APPROVING  
OF A CHANGE IN PLACE OF USE OF ) TRANSFER 4977  
WATER )  
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On January 28, 1982, an application was filed in the office of the Water Resources Director by Glenn Chastain for approval of a change in place of use of water from Clear Creek, Frog Creek and Clear Lake Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Wasco County, Oregon, entered December 3, 1979, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Clear Creek, Frog Creek and Clear Lake Reservoir and its Tributaries, a water right was established in the name of Juniper Flat District Improvement Company, tabulated in Volume 18, page 253, Order Record of the Water Resources Director, for use of the waters of Clear Creek, Frog Creek and Clear Lake Reservoir for irrigation of, among other lands, a certain 6.0 acres in SW 1/4 SE 1/4, Section 19, 20.0 acres in SW 1/4 NW 1/4, Section 20, and 34.0 acres in NW 1/4 NE 1/4, Section 30, Township 4 South, Range 14 East, WM, with a date of priority of July 1, 1903 for use of the waters of Clear Creek and Frog Creek and August 19, 1904 for the use of the waters of Clear Lake Reservoir, as evidenced by the certificate recorded at page 48850, Volume 42, State Record of Water Right Certificates. 5.0 acres in SW 1/4 NW 1/4, Section 20, have a supplemental right under Permit 25275.

Water for the said right is diverted through the Main Ditch.

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 20.0 acres in NE 1/4 NE 1/4, 20.0 acres in SE 1/4 NE 1/4, Section 19, Township 4 South, Range 14 East, and 20.0 acres in SW 1/4 NE 1/4, Section 27, 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 requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

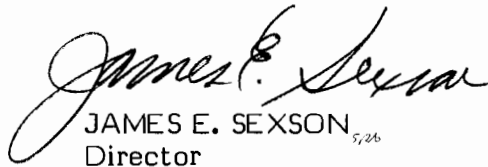
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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 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 and other orders, a confirming certificate of water right shall be issued Juniper Flat District Improvement Company.

Dated at Salem, Oregon this 10th day of March, 1982.

  
JAMES E. SEXSON<sub>5,26</sub>  
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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