

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION)
OF FRANKLIN HOEFT FOR APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 3882

On February 10, 1978, an application was filed in the office of the Water Resources Director by Franklin Hoeft for approval of a change in place of use from Birch Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 30426, Volume 22, State Record of Water Right Certificates, in the name of Edwin Hoeft, describes a right which includes the use of not to exceed 0.42 cubic foot per second from Birch Creek for irrigation of a certain 22.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 1 North, Range 32 East, W.M., with a date of priority of January 29, 1957.

Water for the said right is diverted from a point located 1630 feet South and 260 feet West from the North Quarter Corner of Section 27, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 1 North, Range 32 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof, a certain 10.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 12.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 1 North, Range 32 East, W.M.

Mr. William I. Porfily, 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.

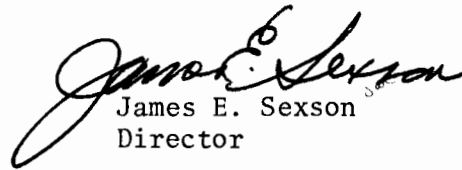
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that NO time need be fixed for completion as the change in place of use is completed.

It is FURTHER ORDERED that the certificate of water right heretofore issued Edwin Hoeft and recorded at page 30426, Volume 22, 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 5th day of October, 1978.


James E. Sexson
Director