

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
YAMHILL COUNTY

IN THE MATTER OF THE APPLICATION OF)
SIMON NAGELY FOR APPROVAL OF) ORDER APPROVING
A CHANGE IN PLACE OF USE OF WATER) TRANSFER 5657

On June 7, 1985, an application was filed in the office of the Water Resources Director by Simon Nagely for approval of a change in place of use of water from an unnamed stream, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 22488, Volume 16, State Record of Water Right Certificates, in the name of Simon Nagely, describes a right which includes the use of not to exceed 0.03 cubic foot per second from an unnamed stream, for irrigation of 1.1 acres in NW 1/4 NW 1/4 and 0.9 acre in SW 1/4 NW 1/4, Section 4, Township 3 South, Range 4 West, WM, with a date of priority of May 29, 1950.

Water for the said right is diverted from a point located within the SW 1/4 NW 1/4 of Section 4, Township 3 South, Range 4 West, WM.

The applicant herein, owner of the lands above described, proposes to transfer the right from 1.1 acres in NW 1/4 NW 1/4 and 0.2 acre in SW 1/4 NW 1/4 and to irrigate in lieu thereof 1.3 acres in SW 1/4 NW 1/4 together with the balance of said right of 0.7 acre in said SW 1/4 NW 1/4, Section 4, Township 3 South, Range 4 West, WM. The change in point of diversion is reported to be completed.

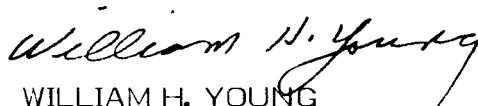
Michael F. Ladd, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

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 proposed change in place of use is approved, without loss of priority.

It is FURTHER ORDERED that the certificate recorded at page 22488, Volume 16, State Record of Water Right Certificates, is canceled; 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 August, 1985.


WILLIAM H. YOUNG
Director

NOTE: 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.