

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Umatilla County

IN THE MATTER OF THE APPLICATION )  
OF GERALD N. HENDRICKSON FOR THE )  
APPROVAL OF A CHANGE IN PLACE OF )  
USE OF WATER FROM DUGGAR CREEK )  
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ORDER APPROVING  
TRANSFER NO. 3501

On December 15, 1976, Gerald N. Hendrickson filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from Duggar Creek pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right recorded at Page 1698, Volume 2, State Record of Water Right Certificates, in the name of Daniel J. Kirk, describes an existing right of record which includes the use of not to exceed 0.01 cubic foot per second from Duggar Creek for irrigation of a certain 1.0 acre in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 29, Township 6 North, Range 35 East, W.M., with a date of priority of 1871.

Water for the said right is diverted through the Kirk #4 ditch from a point located 260 feet North and 740 feet East from the Southwest corner, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 29, Township 6 North, Range 35 East, W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the place of use and to irrigate a certain 1.0 acre in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 29, Township 6 North, Range 35 East, W.M.

Mr. William Porfily, Watermaster of District No, 5, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

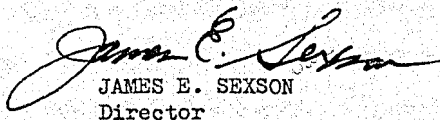
No objection having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use from Duggar Creek 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, 1978.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Daniel J. Kirk and recorded at Page 1698, Volume 2, 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 Gerald N. Hendrickson.

Dated at Salem, Oregon, this 15th day of February, 1977.

  
JAMES E. SEXSON  
Director