

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

IN THE MATTER OF APPLICATION)
OF LELAND MAYHEW FOR APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 5057

On May 19, 1982, an application was filed in the office of the Water Resources Director by Leland Mayhew 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 Waters of White River and its Tributaries, a water right was established in the name of Juniper Flat District Improvement Company, tabulated in the name of Leland Mayhew, in Volume 18, page 255, 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 1.2 acres in NW 1/4 NE 1/4, and 6.8 acres in SW 1/4 NE 1/4, Section 32, Township 4 South, Range 13 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. These lands have a supplemental right under Certificate 51099, with a date of priority of November 11, 1915.

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, a certain 8.0 acres in NW 1/4 SE 1/4, Section 25, Township 5 South, Range 11 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.

These lands are within the Juniper Flat District Improvement Company and the board of directors of said company has approved the change in place of use at a regular meeting.

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 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, the certificate recorded at page 48850, Volume 42, be canceled, and a confirming certificate of water right be issued to Juniper Flat District Improvement Company.

Dated at Salem, Oregon this 2nd day of July, 1982.


JAMES E. SEXSON
Director SRA

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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