

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

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

ORDER APPROVING
TRANSFER 4685

On February 3, 1981, 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, 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 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 for irrigation of, among other lands, a certain 10.0 acres in NW 1/4 NE 1/4, Section 32, Township 4 South, Range 13 East, WM, with a date of priority of July 1, 1903, as evidenced by the certificate recorded at page 48850, Volume 42, State Record of Water Right Certificates. Said lands have a supplemental right under Permit 25275.

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 10.0 acres in NW 1/4 SE 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:

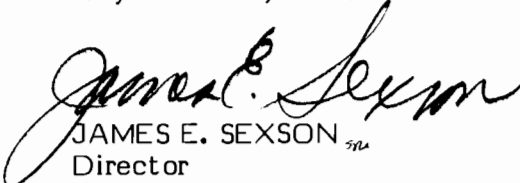
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, 1982.

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 order, the certificate of water right heretofore issued to Juniper Flat District Improvement Company and recorded at page 48850, Volume 42, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right be issued to said company.

Dated at Salem, Oregon this 23rd day of March, 1981.


JAMES E. SEXSON
Director