

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION)
OF GERALD THOMAS GILMORE FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER)

ORDER APPROVING
TRANSFER 5270

On May 26, 1983, an application was filed in the office of the Water Resources Director by Gerald Thomas Gilmore for approval of a change in place of use of water from Anderson Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Pursuant to said provisions, proof has been made to the satisfaction of the Water Resources Director that a transfer of water right has been completed under the terms of Transfer 3156 in the names of Miklos and Brenda Gyenes, for the use of not to exceed 0.12 cubic foot per second of water from Anderson Creek for irrigation of 8.0 acres in SE 1/4 NE 1/4, Section 33, Township 38 South, Range 1 West, WM, with a date of priority of 1906.

Water for the said right is diverted from a point located 360 feet South and 30 feet West from the East Quarter Corner of Section 33, being within the NE 1/4 SE 1/4 of Section 33, Township 38 South, Range 1 West, WM.

The applicant herein, owner of the lands above described, proposes to sever the right from 1.0 acre of said 8.0 acres, and to irrigate in lieu thereof 1.0 acre in NE 1/4 SE 1/4, Section 33, Township 38 South, Range 1 West, WM.

Bruce R. Sund, 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 is approved, without loss of priority.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1985.

It is FURTHER ORDERED that the portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered December 2, 1975, approving Transfer Application 3156; and upon receipt of 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 20th day of July, 1983.



CHRIS L. WHEELER
Deputy Director

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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