

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

IN THE MATTER OF THE APPLICATION )  
OF HAZEL CARLETON FOR APPROVAL OF)  
A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING  
TRANSFER NO. 3704

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On June 13, 1977, an application was filed in the office of the Water Resources Director by Hazel Carleton for approval of a change in place of use from Fifteenmile Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Wasco County, Oregon, entered March 19, 1924, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Fifteenmile Creek, water rights were allowed in the name of H. E. Carleton and in the name of Dufur Orchard Land Company, described by the certificates recorded at pages 5612 and 5683, respectively, Volume 6, State Record of Water Right Certificates, for the use of not to exceed three acre feet of water per acre in any irrigation season from Fifteenmile Creek with a date of priority of 1860, for irrigation of 12.2 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, 32.3 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 32.5 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  and 18.8 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, Township 1 South, Range 13 East, W.M.

Water for the said right is diverted from two points locates: (1) 1470 feet North and 1250 feet East, and (2) 1280 feet North and 750 feet East, from the Southwest corner of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, being within the: (1) SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, and (2) NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, Township 1 South, Range 13 East, W.M., under the provisions of the order of the State Engineer dated January 14, 1966, approving water right transfer application No. C-163 for a change in point of diversion.

The applicant herein, owner of the lands above described, proposes to change the place of use from a certain 9.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  and 14.4 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, Township 1 South, Range 13 East, W.M., and, without loss of priority, to irrigate in lieu thereof a certain 12.2 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  and 8.8 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26; and 2.4 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, Township 1 South, Range 13 East, W.M.

Mr. 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.

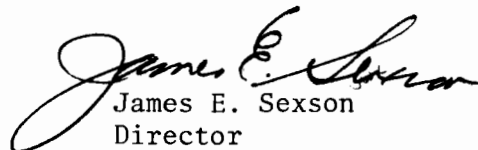
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1979.

The certificates heretofore issued to H. E. Carleton and to Dufur Orchard Land Company and recorded at pages 5612 and 5683, Volume 6, State Record of Water Right Certificates, were canceled by provisions of the said order of the State Engineer entered on January 14, 1966, in the matter of transfer application No. C-163.

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, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 10th day of November, 1977.

  
James E. Sexson  
Director