

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

POLK COUNTY

IN THE MATTER OF THE APPLICATION)
JERRY KEYES FOR APPROVAL OF A CHANGE) ORDER APPROVING
IN USE OF WATER) TRANSFER 6239

An application was filed with the Water Resources Director by Jerry Keyes for approval of a change in character of use of water from Mill Creek, as provided by ORS 540.510 to 540.530.

Certificate 24618, State Record of Water Right Certificates, in the name of Doyle H. Allbaugh, describes a right limited to 0.15 cubic foot per second from Mill Creek for the irrigation of, among other lands, a certain 11.6 acres within NW 1/4 SW 1/4, Section 16, 0.2 acre within NE 1/4 SE 1/4, Section 17, Township 6 South, Range 6 West, W.M. The date of priority is July 28, 1947.

Water for the said right is diverted from a point located 1310 feet South and 4110 feet West from the Northeast corner Blair DLC 41, being within NE 1/4 SE 1/4, as projected within DLC 41, Section 17, Township 6 South, Range 6 West, W.M.

The applicant proposes to change the use therefrom, to poultry use including drinking water, cleaning, and cooling for 113,000 chickens during the irrigation season, within NW 1/4 SW 1/4, Section 16, Township 6 South, Range 6 West, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Polk County Itemizer-Observer for a period of three weeks in the issues of September 13, 20, and 27, 1989.

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

NOW, THEREFORE, it hereby is ORDERED that the proposed change in use is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water used for the proposed purpose shall not exceed 0.15 cubic foot per second and shall be used only during the irrigation season of each year.

It is FURTHER ORDERED that the subject water right is hereby severed from the use described in certificate 24618 and shall be beneficially used as authorized by this order on or before October 1, 1991.

It is FURTHER ORDERED that certificate 24618 is canceled and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding. 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.

Dated this 17th day of November, 1989.

William H. Young
WILLIAM H. YOUNG
DIRECTOR

NOTICE: Approval of the 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.