

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

IN THE MATTER OF THE APPLICATION OF )  
KEITH J. OBERMAIER FOR APPROVAL OF )  
A CHANGE IN PLACE OF USE OF WATER )  
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ORDER APPROVING  
TRANSFER 4948

On December 7, 1981, an application was filed in the office of the Water Resources Director by Keith J. Obermaier for approval of a change in place of use of water from Threemile Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 11098, Volume 10, State Record of Water Right Certificates, in the name of Three Mile Creek Water Ditch Company, describes a right which includes the use of not to exceed 0.21 cubic foot per second from Threemile Creek, for irrigation of a certain 12.0 acres in SW 1/4 SW 1/4, Section 15 and 5.0 acres in NE 1/4 SE 1/4, Section 16, Township 4 South, Range 12 East, WM, with a date of priority of December 1, 1927.

Water for the said right is diverted, through the Threemile Ditch, from a point within the SE 1/4 NW 1/4 of Section 11, Township 4 South, Range 11 East, WM.

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 6.0 acres in NE 1/4 SW 1/4 and 11.0 acres in NW 1/4 SW 1/4, Section 16, Township 4 South, Range 12 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.

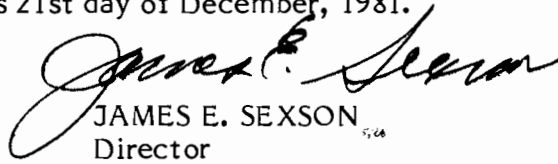
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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 said water so transferred shall be applied to beneficial use on or before October 1, 1983.

It is FURTHER ORDERED that the certificate recorded at page 11098, Volume 10, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and 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 21st day of December, 1981.

  
JAMES E. SEXSON  
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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