

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

IN THE MATTER OF THE APPLICATION)
OF WILLIAM R. McALLISTER FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER)

ORDER APPROVING
TRANSFER 4704

On March 11, 1981, an application was filed in the office of the Water Resources Director by William R. McAllister for approval of a change in place of use of water from Badger Creek and Badger Lake, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 46368, Volume 39, State Record of Water Right Certificates, in the name of Badger Improvement District, describes a right which includes the use of not to exceed 0.26 cubic foot per second from Badger Creek and Badger Lake for irrigation of 13.6 acres in SE 1/4 NE 1/4, Section 12, Township 4 South, Range 12 East, WM, and 11.2 acres in NW 1/4 SW 1/4, Section 7, Township 4 South, Range 13 East, WM, with a date of priority of March 22, 1961.

Water for the said right is diverted, through the Highland Ditch, from Badger Creek at a point located 1,290 feet South and 550 feet West from the Center of Section 29, being within the NE 1/4 SW 1/4 of Section 29, Township 3 South, Range 11 East, WM, and from Badger Lake at a point located 400 feet North and 800 feet East from the SW Corner of Section 16, being within the SW 1/4 SW 1/4 of Section 16, Township 3 South, Range 10 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 4.2 acres in the SE 1/4 NE 1/4, 7.1 acres in SW 1/4 NW 1/4, 5.6 acres in SE 1/4 NW 1/4, 4.0 acres in NW 1/4 SE 1/4, Section 7 and 3.9 acres in SW 1/4 NW 1/4, Section 8, 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 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 complete application of water to beneficial use on the lands to which the water is transferred hereby, the certificate of water right theretofore issued to Badger Improvement District be canceled; and in lieu thereof a new confirming certificate of water right be issued to said District.

Dated, at Salem, Oregon this 22nd day of April, 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.