

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BAKER COUNTY

IN THE MATTER OF THE APPLICATION)
OF TED W. ORR FOR APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 4706

On March 17, 1981, an application was filed in the office of the Water Resources Director by Ted W. Orr for approval of a change in place of use of water from Powder River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 37978, Volume 30, State Record of Water Right Certificates, in the name of Walter Jacobson, describes a right which includes the use of not to exceed 3.19 cubic feet per second from Powder River for irrigation of:

0.5 acre SE 1/4 SE 1/4
Section 12

32.0 acres NE 1/4 NE 1/4
Section 13
Township 7 South, Range 39 East, WM

0.7 acre SW 1/4 SW 1/4
Section 7

32.5 acres NW 1/4 NE 1/4
25.8 acres SW 1/4 NE 1/4
4.0 acres SE 1/4 NE 1/4
27.6 acres NE 1/4 NW 1/4
36.9 acres NW 1/4 NW 1/4
33.0 acres SW 1/4 NW 1/4
25.4 acres SE 1/4 NW 1/4
Section 18
Township 7 South, Range 40 East, WM,

with a date of priority of February 15, 1966.

Water for the said right is diverted, through the McCarty Slough Ditch (South), from a point located 1,100 feet South and 70 feet East from the NW Corner of the NE 1/4 SW 1/4 of Section 11, being within the NE 1/4 SW 1/4 of Section 11, Township 7 South, Range 39 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:

7.5 acres NE 1/4 NW 1/4
5.0 acres NW 1/4 NW 1/4
10.5 acres SW 1/4 NW 1/4
18.0 acres SE 1/4 NW 1/4
8.0 acres NE 1/4 SW 1/4
21.0 acres NW 1/4 SW 1/4
29.4 acres SW 1/4 SW 1/4
Section 12

8.5 acres NE 1/4 SW 1/4
11.5 acres SE 1/4 SW 1/4
1.0 acre NW 1/4 SE 1/4
36.0 acres SW 1/4 SE 1/4
31.0 acres SE 1/4 SE 1/4
Section 11

23.0 acres NE 1/4 NE 1/4
8.0 acres NW 1/4 NE 1/4
Section 14
Township 7 South, Range 39 East, WM

V. Kent Searles, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

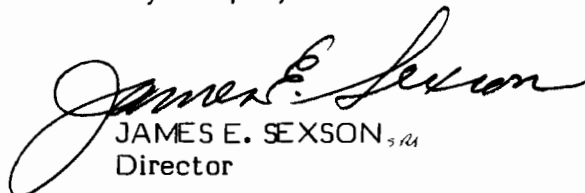
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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 the certificate recorded at page 37978, Volume 30, 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 22nd day of April, 1981.


JAMES E. SEXSON, JR.
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.