

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 4707

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.

By Decree of the Circuit Court for Baker County, Oregon, entered March 18, 1918, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Powder River and Its Tributaries, a water right was established in the name of Oscar Jacobson, tabulated in Volume 6, page 404, Order Record of the Water Resources Director, for use of the waters of Powder River for irrigation of, among other lands, a certain:

7.0 acres SW 1/4 SW 1/4
Section 1

4.0 acres NW 1/4 SE 1/4
6.5 acres SE 1/4 SE 1/4
Section 2

7.5 acres NE 1/4 NW 1/4
13.0 acres NW 1/4 NW 1/4
10.5 acres SW 1/4 NW 1/4
21.0 acres SE 1/4 NW 1/4
18.0 acres NE 1/4 SW 1/4
21.0 acres NW 1/4 SW 1/4
36.0 acres SW 1/4 SW 1/4
9.0 acres SE 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.

with a date of priority of 1885, as evidenced by the certificate recorded at page 4262, Volume 5, State Record of Water Right Certificates.

Water for the said right is diverted, through the McCarty Slough Ditches, from a point located 1,100 feet South and 70 feet East from the Northwest 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:

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

32.0 acres NE 1/4 NE 1/4
27.3 acres SE 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

3.5 acres NE 1/4 NE 1/4
35.5 acres NW 1/4 NE 1/4
25.8 acres SW 1/4 NE 1/4
24.3 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

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.

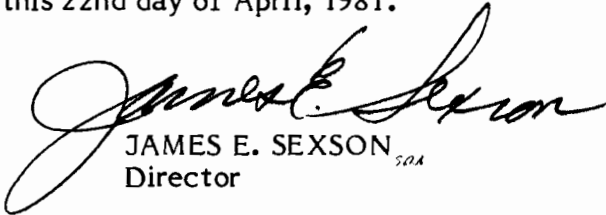
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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 4262, Volume 5, State Record of Water Right Certificates, is canceled; 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^{SOA}
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.