

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Umatilla County

IN THE MATTER OF THE APPLICATION }  
OF JOE D. DOHERTY FOR THE APPROVAL }  
OF A CHANGE IN PLACE OF USE OF }  
WATER FROM MCKAY CREEK }  
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ORDER APPROVING  
TRANSFER NO. 3472

On September 9, 1976, Joe D. Doherty filed an application for transfer of water right in the office of the Water Resources Director proposing a change in place of use under an existing right of record as described by the certificate recorded at Page 2606, Volume 3, State Record of Water Right Certificates, in the name of Mrs. E. A. Reagin, which includes the use of not to exceed 0.09 cubic foot per second from McKay Creek for stock water and irrigation of 7.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 35, Township 1 North, Range 32 East, W.M., with a date of priority of 1894.

Water for the said right is diverted through the Eldridge ditch No. 2 from a point located 650 feet North and 1150 feet West from the Southeast corner of Section 35, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 35, Township 1 North, Range 32 East, W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the place of use for stock water and irrigation to a certain 7.0 acre tract in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 35, Township 1 North, Range 32 East, W.M.

Mr. William I. Porfily, Watermaster of District No. 5, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objection 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 described herein, without loss of priority, is approved.

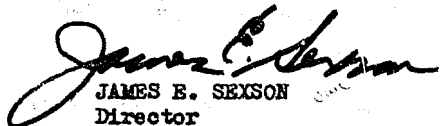
It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1977.

The applicant, as owner of the entire right, has authorized cancelation of the balance of the water right evidenced by the certificate recorded at Page 2606, Volume 3, State Record of Water Right Certificates, being for domestic use, therefore,

It is FURTHER ORDERED that the right for domestic use, as described therein, is hereby canceled.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Mrs. E. A. Reagin and recorded at Page 2606, Volume 3, State Record of Water Right Certificates, is canceled, and upon proof satisfactory to the Water Resources Director of completion of the authorized change in place of use, with beneficial use to the extent intended, a certificate of water right shall be issued to Joe D. Doherty confirming the right.

Dated at Salem, Oregon, this 6th day of October, 1976.

  
JAMES E. SEXSON  
Director