

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CROOK COUNTY

IN THE MATTER OF THE REQUEST BY)
ARTURO J. GUTIERREZ FOR APPROVAL)
OF DIMINUTION OF A WATER RIGHT)

O R D E R

On March 8, 1990, a request was received in the office of the Water Resources Director from Gutierrez Cattle Company by Arturo Gutierrez, the owner of certain land and the water right appurtenant to it, for approval of a change from primary irrigation to supplemental irrigation from the waters of Watson Creek and Merwin Reservoir No. 2 constructed under permit R-3258.

The reason for the request is that a more reliable source of water has been obtained and a new permit has been issued for primary irrigation from the new source.

Certificate 48789, State Record of Water Right Certificates, issued to Gale Merwin, describes a right to the use of 7.2 cubic feet per second with a priority date of August 6, 1972 for irrigation of among other lands:

- LOT 3 (NE 1/4 NW 1/4) 0.3 ACRE
- LOT 4 (NW 1/4 NW 1/4) 15.8 ACRES
- SW 1/4 NW 1/4 33.2 ACRES
- SE 1/4 NW 1/4 6.0 ACRES
- NE 1/4 SW 1/4 36.4 ACRES
- NW 1/4 SW 1/4 8.8 ACRES
- SE 1/4 SW 1/4 30.0 ACRES
- NW 1/4 SE 1/4 8.6 ACRES
- SW 1/4 SE 1/4 19.6 ACRES
- SECTION 5
- LOT 1 (NE 1/4 NE 1/4) 2.8 ACRES
- SE 1/4 NE 1/4 30.8 ACRES
- SECTION 6
- TOWNSHIP 17 SOUTH, RANGE 22 EAST, W.M.

It appears that the proposed diminution of water right may be made without injury to existing water rights. Therefore, the request should be approved.

NOW, THEREFORE, it is hereby ORDERED that the proposed change from primary irrigation of the above described lands to supplemental irrigation is approved without loss of priority.

It is FURTHER ORDERED that certificate 48789 is hereby canceled and a new certificate be issued describing the use of water for supplemental irrigation of the above described lands and to describe that portion of the water right NOT modified by the provisions of this order.

WITNESS the signature of the Water Resources Director, affixed FEBRUARY 3, 1992.

William H. Young
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