

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

IN THE MATTER OF THE APPLICATION OF )  
CONTRACT CUTTERS, INCORPORATED )  
FOR APPROVAL OF A CHANGE IN )  
PLACE OF USE OF WATER )  
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ORDER APPROVING  
TRANSFER 4913

On October 8, 1981, an application was filed in the office of the Water Resources Director by D. M. Marshall, President of Contract Cutters, Incorporated, for approval of a change in place of use of water from Lost and Boulder Creeks, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 34533, Volume 26, State Record of Water Right Certificates, in the name of Lost and Boulder Ditch Company, describes a right which includes the use of water from Lost and Boulder Creeks, for irrigation of:

6.00 acres in NE 1/4 NE 1/4  
Section 33  
4.00 acres in NW 1/4 NW 1/4  
Section 34  
Township 4 South, Range 12 East, WM  
with a date of priority of 1901  
  
2.70 acres in NE 1/4 NE 1/4  
7.40 acres in SE 1/4 NE 1/4  
Section 33  
8.00 acres in NW 1/4 NW 1/4  
7.40 acres in SW 1/4 NW 1/4  
4.00 acres in SE 1/4 NW 1/4  
Section 34  
Township 4 South, Range 12 East, WM  
with a date of priority of 1911

These lands also have a supplemental right under Certificate 34587.

The applicant herein, owner of the lands above described, proposes to change the place of use without loss of priority, to irrigation and supplemental irrigation of 8.4 acres in NE 1/4 SE 1/4 and 1.6 acres in NW 1/4 SE 1/4, with a date of priority of 1901, and 4.4 acres in SE 1/4 NE 1/4, 16.3 acres in NE 1/4 SE 1/4 and 8.8 acres in NW 1/4 SE 1/4, with a date of priority of 1911, all in Section 33, Township 4 South, Range 12 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.

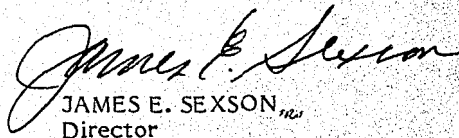
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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 NO time need be fixed for completion as the change in place of use is completed.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of complete application to beneficial use on the lands to which the water is transferred hereby, the certificate of water right theretofore issued to Lost and Boulder Ditch Company be canceled; and in lieu thereof a new confirming certificate of water right be issued to said Ditch Company.

Dated at Salem, Oregon this 18th day of January, 1982.

  
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.

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