

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

IN THE MATTER OF THE APPLICATION)
OF IRL DAVIS, JR. FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER _____)

ORDER APPROVING
TRANSFER NO. 4312

On October 18, 1979, an application was filed in the office of the Water Resources Director by Irl Davis, Jr. for approval of a change in place of use from Badger Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 46531, Volume 39, State Record of Water Right Certificates, in the name of Badger Improvement District, describes a right for the use of not to exceed 12.03 cubic feet per second with a priority date of April 12, 1941; and for the use of not to exceed 12.69 cubic feet per second with a priority date of March 20, 1951, both from Badger Creek and Reservoir for irrigation of a certain 2.9 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 4 South, Range 12 East, W. M.

Water for the said right is diverted, through the Badger Ditch, from points located 400 feet North and 800 feet East from the Southwest Corner of Section 16, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, Township 3 South, Range 10 East, W. M.; and 1290 feet South and 550 feet West from the Center of Section 29, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, Township 3 South, Range 11 East, W. M.

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 a certain 2.9 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, Township 4 South, Range 13 East, W. M.

Mr. 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.

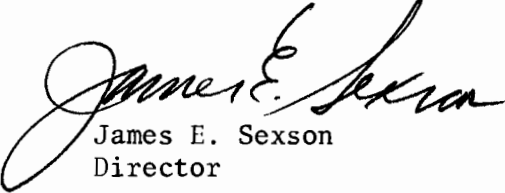
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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 said water so transferred shall be applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that 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 the certificate of water right heretofore issued to Badger Improvement District and recorded at page 46531, Volume 39, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right be issued in the name of Badger Improvement District.

Dated at Salem, Oregon this 27th day of November, 1979.


James E. Sexson
Director

SRA