

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
POLK COUNTY

IN THE MATTER OF THE APPLICATION OF)
ELMER STOLLER FOR APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 5397

On October 13, 1983, an application was filed in the office of the Water Resources Director by Elmer Stoller for approval of a change in place of use of water from Rickreall Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 33772, Volume 25, State Record of Water Right Certificates, in the name of C. Barendrecht, describes a right which includes the use of not to exceed 0.09 cubic foot per second from Rickreall Creek, for irrigation of 7.1 acres in SE 1/4 NW 1/4, as projected within Burch DLC 47, Section 32, Township 7 South, Range 4 West, WM, with a date of priority of June 18, 1964.

Water for the said right is diverted from a point located 2060 feet North and 1580 feet East from the Southeast Corner of DLC 45, being within the SE 1/4 SW 1/4 of Section 29, Township 7 South, Range 4 West, WM.

The applicant herein, contract purchaser of the lands above described, with approval of the owner, proposes to transfer the right therefrom to 7.1 acres in SE 1/4 SW 1/4, Section 29, Township 7 South, Range 4 West, WM. The change in place of use is reported to be completed.

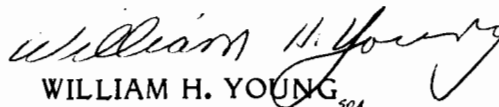
Michael F. Ladd, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

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 proposed change in place of use is approved, without loss of priority.

It is FURTHER ORDERED that the certificate recorded at page 33772, Volume 25, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; 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 15th day of December, 1983.


WILLIAM H. YOUNG
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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