

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

ORDER REJECTING TRANSFER APPLICATION 8460

Transfer Application 8460, in the name of George & Marjorie Kraemer, was filed March 13, 2000.

The transfer application requests to change the point of diversion to a pumping site located on their property along the South Fork Walla Walla River. The proposed change is for a portion of an existing surface water right Certificate 12894, with a date of priority of 1888. The property is located within Section 10, Township 4 North, Range 37 East, W. M.

The Watermaster's office has conducted field investigations and research into a claim to a portion of this water right appurtenant to Mr. & Mrs. Kraemers property TL 1700. The Watermaster Tony Justus interviewed several land owners and had a meeting to discuss the "divvying-up" of the water right involved. Office records, information found in the courthouse and available maps describe the original right adequately. Mr. Justus concluded that no claim was made by the original landowner during the adjudication process in the early 1900's on the Kraemer land and the person who did make a claim and received water rights did not own the lands now owned by Mr. & Mrs. Kraemer.

On March 17, 2003, a letter was sent to Mr. & Mrs. Kraemer describing that the Department found no water rights of record appurtenant to the property which could be considered as a "right subject to transfer".

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

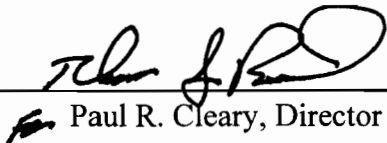
Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

The Department has received no response to the Department's March 17, 2003 letter and moved forward to reject the application.

The right requested to be modified is not appurtenant to the land described in the application. The transfer application can not be processed and should be rejected.

Transfer Application 8460, in the name of George & Marjorie Kraemer, is REJECTED and of no further force or effect.

WITNESS the signature of the Water Resources Director, affixed May 31, 2003 .



Paul R. Cleary, Director