

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF ROBERT MARTIN FOR APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 3591

On March 17, 1977, an application was filed in the office of the Water Resources Director by Robert Martin for a change in place of use under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 2013, Volume 3, State Record of Water Right Certificates, in the name of J. L. Calvert, describes a right which includes the use of not to exceed 0.67 cubic foot per second from waters of the junction of Illinois River, Sucker Creek and Althouse Creek for irrigation of 5.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 1.0 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 26.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 22.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 39 South, Range 8 West, W.M., with a date of priority of March 5, 1912.

Water for the said right is diverted, through the Calvert-Hunt Ditch, from a point located 1122 feet South and 1716 feet East from the West quarter corner of Section 35, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 39 South, Range 8 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 1.0 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 15.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27; 5.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 26.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 7.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, Township 39 South, Range 8 West, W.M.

Mr. Robert B. Steimer, 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 objection having been filed and it appearing that the proposed change

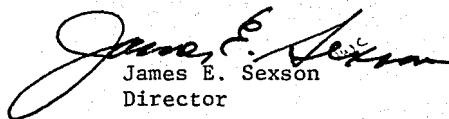
in place of use may be made without injury to existing rights, the application should be approved.

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, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to J. L. Calvert and recorded at page 2013, Volume 3, 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 4th day of August, 1977.


James E. Sexson
Director