

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION)
OF FRANK M. STRAUS, et. al. FOR)
APPROVAL OF A CHANGE IN USE HERE-))
TOFORE MADE OF WATER)

ORDER APPROVING
TRANSFER NO. 3949

On April 28, 1978, an application was filed in the office of the Water Resources Director by Frank M. Straus, et. al., for approval of a change in use heretofore made of stored water from Woolfolk Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

The certificates recorded at pages 41765 and 41766, Volume 33, State Record of Water Right Certificates, in the names of Ira V. and Helen Ann Woolfolk, describe rights which include the storage of 175.5 acre feet of water from School House Creek in Woolfolk Reservoir and use of said 175.5 acre feet in said reservoir located in W $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 35 South, Range 1 East, W.M., for recreation and fish culture, with a priority date of June 1, 1954.

The authorized point of diversion for said rights is located 700 feet North and 280 feet East from the Southwest Corner of Section 34, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 35 South, Range 1 East, W.M.

The applicants herein, owners of the lands above described, propose to change the use for which 175.5 acre feet of water has been stored and the use heretofore made of said 175.5 acre feet of stored water, without loss of priority, to hereafter store and use the stored water for irrigation of a certain 18.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33; 2.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 35 South, Range 1 East, W.M.; 0.4 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3; and 18.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 36 South, Range 1 East, W.M.

Notice of the application, pursuant to ORS 540.510, was published in the Medford Mail Tribune, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of May 17, 24 and 31, 1978.

Mr. David C. Hendrix, Watermaster, has filed a statement to the effect that the proposed change in use heretofore made of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in use heretofore made of water may be made without injury to existing rights, the ap-

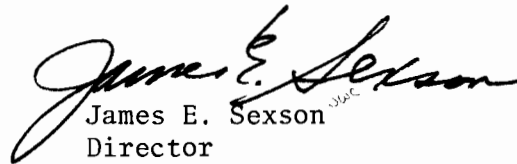
plication should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in use heretofore made of water, 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, 1980.

It is FURTHER ORDERED that the certificates of water right heretofore issued to Ira V. and Helen Ann Woolfolk and recorded at pages 41765 and 41766, Volume 33, State Record of Water Right Certificates, are canceled; and in lieu thereof new certificates be issued covering the balance of the rights 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, confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 5th day of September, 1978.


James E. Sexson
Director