

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF ERNEST A. WAGNER FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM WOODS CREEK)
- - - - -

ORDER APPROVING
TRANSFER NO. 4023

On August 14, 1978, an application was filed in the office of the Water Resources Director by Ernest A. Wagner for approval of a change in place of use from Woods (Porter) Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 13455, Volume 11, State Record of Water Right Certificates, in the name of Ladd and Bush, describes a right which includes the use of not to exceed 0.03 cubic foot per second from Porter Creek for irrigation of 2.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 30 South, Range 4 West, W.M., with a date of priority of October 11, 1934.

The authorized point of diversion of record for said right is located 100 feet North and 140 feet West from the Southeast Corner of Section 3, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 30 South, Range 4 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom, without loss of priority, and to irrigate in lieu thereof a certain 1.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 0.8 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, Township 30 South, Range 4 West, W.M.

Mr. M. John Youngquist, 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, 1979.

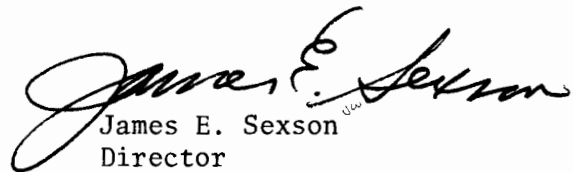
The order of the Water Resources Director entered January 20, 1977, approving transfer application No. 3287 for a change in point of diversion of water provided for the cancellation of the certificate recorded at page 13455, and for the issuance of a new confirming certificate upon receipt of proof of completion of the works so

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authorized.

THEREFORE, 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 and the order approving transfer application No. 3287, a confirming certificate of water right shall be issued.

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


James E. Sexson
Director