

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION OF)
FRED P. McCLINTICK FOR APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4478

On April 15, 1980, an application was filed in the office of the Water Resources Director by Fred P. McClintick for approval of a change in place of use of water from Sucker Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 7153, Volume 7, State Record of Water Right Certificates, in the name of Ora Smith, describes a right which includes the use of not to exceed 0.11 cubic foot per second from Sucker Creek for irrigation of a certain 10.0 acres in SE 1/4 NE 1/4 of Section 25, Township 39 South, Range 8 West, W.M., with a date of priority of 1908.

Water for the said right is diverted, through the White Ditch, from a point located 1600 feet North and 1650 feet West from the Southeast Corner of Section 29, being within the NW 1/4 SE 1/4 of Section 29, Township 39 South, Range 7 West, W.M.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 3.4 acres in NW 1/4 NW 1/4 of Section 31, Township 39 South, Range 7 West; 3.9 acres in SE 1/4 SE 1/4 of Section 25 and 2.7 acres in NE 1/4 NE 1/4 of Section 36, 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 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, 1981.

It is FURTHER ORDERED that the certificate recorded at page 7153, Volume 7, 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 9th day of May, 1980.


JAMES E. SEXSON ^{5/06}
Director