

BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION )  
OF EVERETT M. SHELBY FOR THE AP- )  
PROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER FROM ASH CREEK )  
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ORDER APPROVING  
TRANSFER NO. 2534

On June 14, 1971, Everett M. Shelby filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Ash Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Everett M. Shelby and recorded at page 27779, Volume 20, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.08 cubic foot per second of water from Ash Creek for the irrigation of 5.2 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 0.3 acre in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 30, Township 30 South, Range 5 West, W.M., with a date of priority of September 6, 1957. These lands are irrigated from a point of diversion located 690 feet south and 360 feet west from the north interior corner of DLC No. 36 being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 30, Township 30 South, Range 5 West, W.M.

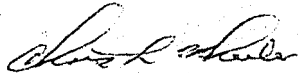
The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 840 feet south and 325 feet west from the north interior corner of DLC No. 36 being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 30, Township 30 South, Range 5 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions.

of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that certificate of water right heretofore issued to Everett M. Shelby and recorded at page 27779, Volume 20, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Everett M. Shelby confirming the change in point of diversion.

Dated at Salem, Oregon, this 20th day of September, 1971.

  
CHRIS L. WHEELER  
State Engineer