

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION OF)
CHARLES POMEROY (EAGLE POINT)
IRRIGATION DISTRICT) FOR APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 5219

On March 16, 1983, an application was filed in the office of the Water Resources Director by Charles Pomeroy for approval of a change in place of use of water from Big Butte Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Eagle Point Irrigation District and recorded at page 51331, Volume 46, State Record of Water Right Certificates, describes a right for the use of water from Big Butte Creek for irrigation of, among other lands, a certain 3.6 acres in NE 1/4 NE 1/4 and 2.0 acres in SE 1/4 NE 1/4, Section 34, Township 35 South, Range 1 West, WM, with a date of priority of April 21, 1915.

The applicant herein, owner of the lands above described, proposes to transfer the water rights therefrom, without loss of priority, to a certain 5.1 acres in NW 1/4 NE 1/4 and 0.5 acre in SW 1/4 NE 1/4, Section 34, Township 35 South, Range 1 West, WM.

The lands involved herein are within the boundaries of the Eagle Point Irrigation District and the Board of Directors of said District approved the proposed change in place of use of water at a regular meeting.

Bruce R. Sund, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

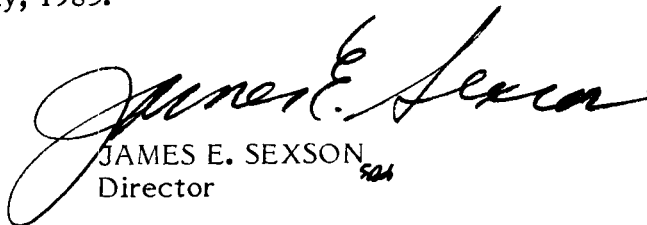
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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, 1984.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which the water is transferred hereby, a certificate of water right shall be issued to Eagle Point Irrigation District confirming this and prior changes within the District, superseding the certificate recorded at page 51331, Volume 46, State Record of Water Right Certificates.

Dated at Salem, Oregon this 4th day of May, 1983.


JAMES E. SEXSON
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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