

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF CARL H. DAVIS FOR APPROVAL OF)
A CHANGE IN USE OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 4066

On October 6, 1978, an application was filed in the office of the Water Resources Director by Carl H. Davis for approval of a change in use heretofore made of water from West Fork Williams Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 45058, Volume 37, State Record of Water Right Certificates, in the name of Charles H. Retzloff, et. al., describes a right which includes the use of not to exceed 0.02 cubic foot per second from West Fork Williams Creek for irrigation of a certain 0.48 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 0.52 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 39 South, Range 5 West, W.M., with a date of priority of 1875.

Water for the said right is diverted, through the Chapman Ditch, from a point located 440 feet South and 1200 feet West from the East Quarter Corner of Section 4, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, Township 39 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the use heretofore made of water and, without loss of priority, to hereafter use the water within the irrigation season for maintenance of a pond for swan culture, constructed within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 39 South, Range 5 West, W.M., under reservoir permit No. R-7832.

Notice of the application, pursuant to ORS 540.520(2), was published in the Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of November 6, 13 and 20, 1978.

Mr. Robert B. Steimer, 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 application should be approved.

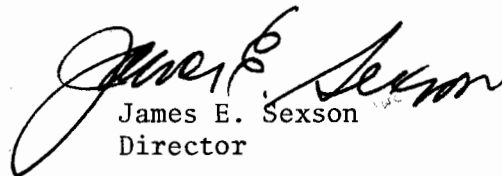
NOW, THEREFORE, it hereby is ORDERED that the requested change in use hereto-

fore made of water, as described herein, without loss of priority, is approved.

If 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 of water right recorded at page 45058, Volume 37, 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 13th day of July, 1979.



James E. Sexson
Director