

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UNION COUNTY

IN THE MATTER OF THE APPLICATION OF)
J. LEE MORGAN AND WILLIAM P. PHILLIPS)
FOR APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM CATHERINE CREEK)

ORDER APPROVING
TRANSFER NO. 3647

On April 27, 1977, an application was filed in the office of the Water Resources Director by J. Lee Morgan and William P. Phillips for a change in place of use under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 6449, Volume 6, State Record of Water Right Certificates, in the name of E. L. and Jennie McIntosh, describes a right which includes the use of water from Catherine Creek for irrigation of a certain 0.25 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 4 South, Range 40 East, W.M., with a date of priority of 1891.

The authorized point of diversion, pursuant to the provisions of an order of the Water Resources Director entered on December 23, 1976, approving transfer application No. 3256, is located 157.5 feet South and 1866 feet East from the North quarter corner of Section 19, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 4 South, Range 40 East, W.M.

The applicants herein, one of whom is the owner of the lands above described, propose to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 0.25 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 4 South, Range 40 East, W.M., further described as within Lots 5 and 6, Block 9, town of West Union.

Mr. H. Boyd Hadden, 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.

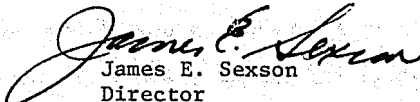
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

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 on December 23, 1976, approving transfer application No. 3256 for a change in point of diversion of water for this and other water rights served through a common ditch system, provided for the cancellation of the certificate recorded at page 6449, Volume 6, State Record of Water Right Certificates, and for the issuance of a new confirming certificate upon receipt of proof satisfactory of the completion of the works so 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 orders approving transfer applications 3256, 3648 and 3649, a confirming certificate of water right shall be issued.

Dated at Salem, Oregon, this 12th day of September, 1977.


James E. Sexson
Director