

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION OF)
JOHN N. AND HARRIET M. WINTON FOR)
APPROVAL OF A CHANGE IN PLACE OF USE)
OF WATER FROM LITTLE BUTTE CREEK)

ORDER APPROVING
TRANSFER NO. 3603

On March 28, 1977, an application was filed in the office of the Water Resources Director by John N. and Harriet M. Winton 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 31232, Volume 23, State Record of Water Right Certificates, in the name of J. N. Winton, describes a right which includes the use of not to exceed 0.72 cubic foot per second from Little Butte Creek for irrigation of a certain 2.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 19.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 7.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 0.6 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, Township 36 South, Range 1 West, W.M., with a date of priority of April, 1899.

Water for the said right is diverted from a point located 397 feet South and 295 feet East from the North quarter corner of Section 8, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 8, Township 36 South, Range 1 West, W.M.

The applicants herein, owners 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 21.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 4.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5; 0.2 acre in Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and 4.3 acres in Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 8, Township 36 South, Range 1 West, W.M.

Mr. David C. Hendrix, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

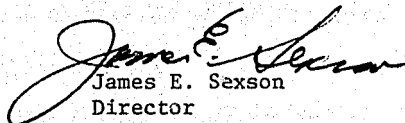
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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.

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, the certificate of water right heretofore issued to John N. Winton and recorded at page 31232, Volume 23, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right be issued to the applicants herein.

Dated at Salem, Oregon, this 22nd day of September, 1977.


James E. Sexson
Director