

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION OF )  
FLOYD A. BURG AND MARVIN F. BURG ) ORDER APPROVING  
FOR APPROVAL OF A CHANGE IN PLACE ) TRANSFER 6261  
OF USE OF WATER )

On JULY 7, 1989 an application was filed in the office of the Water Resources Director by Floyd A. Burg and Marvin F. Burg 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 51331, in the name of Eagle Point Irrigation District describes a right limited to the use of water from Big Butte Creek for the irrigation of, among other lands, a certain 5.0 acres within the NW 1/4 NE 1/4 of Section 34, Township 34 South, Range 1 East, W.M., with a date of priority of April 21, 1915.

Water for said right is diverted from a point located 1130 feet South and 700 feet West from the northeast corner of Section 10, being within the NE 1/4 NE 1/4 of Section 10, Township 35 South, Range 2 East, W.M.

The applicants propose to transfer the water right therefrom to a certain 1.0 acre within the NW 1/4 NE 1/4 and 4.0 acres within the SW 1/4 NE 1/4, Section 34, Township 34 South, Range 1 East, W.M.

Bruce 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.

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.

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 is hereby ORDERED that the proposed change in place of use is approved, without loss of priority.

It is FURTHER ORDERED that the subject water right is hereby severed from the place of use described in Certificate 51331, and shall be beneficially used as authorized by this order on or before October 1, 1990.

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, the change of water right shall be considered perfected and at a later date, a certificate of water right shall be issued to Eagle Point Irrigation District confirming this and prior changes within the District, and superseding certificate 51331

Dated at Salem, Oregon this 14th day of September, 1989.

*William H. Young*  
WILLIAM H. YOUNG  
Director

NOTE: Approval of the 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.