

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION )  
OF GARY D. AND GLENDA J. KAISER )  
FOR APPROVAL OF A CHANGE IN )  
PLACE OF USE OF WATER )  
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ORDER APPROVING  
TRANSFER 5269

On May 26, 1983 an application was filed in the office of the Water Resources Director by Gary D. and Glenda J. Kaiser for approval of a change in place of use of water from Little Butte Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Jackson County, Oregon, entered August 15, 1949, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Little Butte Creek and Its Tributaries, a water right was established in the name of Fryer Ditch Association, tabulated in Volume 14, page 515, Order Record of the Water Resources Director, for use of the waters of Little Butte Creek for irrigation of, among other lands, a certain 0.29 acre in NW 1/4 NW 1/4, Section 2, Township 36 South, Range 1 West, WM, with a date of priority of 1885, as evidenced by the certificate recorded at page 46674, Volume 39, State Record of Water Right Certificates.

Water for the said right is diverted, through the Fryer Ditch, from a point located 120 feet North and 1125 feet East from the Southwest Corner of Section 35, being within the SW 1/4 SW 1/4 of Section 35, Township 35 South, Range 1 West, WM.

The applicants herein, owners of the lands above described, propose to sever the right therefrom and to irrigate in lieu thereof 0.29 acre in NE 1/4 NE 1/4, Section 3, Township 36 South, Range 1 West, WM.

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.

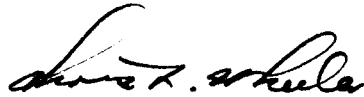
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1984.

It is FUTHER 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 Fryer Ditch Association confirming this and prior changes within the Association, and superseding Certificate 46674.

Dated at Salem, Oregon this 20th day of July, 1983.



CHRIS L. WHEELER  
Deputy 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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