

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF BOB L. JONES & ROSA FRYE FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4234

On June 7, 1979, an application was filed in the office of the Water Resources Director by Bob L. Jones and Rosa Frye for approval of a change in place of use of water from Frost Gulch and Choke Cherry Gulch, pursuant to the provisions of ORS 540.510. to 540.530.

The certificate recorded at page 36456, Volume 28, State Record of Water Right Certificates, in the name of Elwin and Rosa Frye, describes a right for the use of not to exceed 1/50th cubic foot per second per acre from Frost Gulch and Choke Cherry Gulch for domestic use and for irrigation of a certain 1.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31; 3.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 1.6 acres in Lot 1 (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 32, Township 39 South, Range 8 West, W.M., with a date of priority of 1873.

Water for the said right is diverted, through the Home Ditch, from points located (1) 800 feet North and 950 feet West from the Southeast Corner of Section 30; (2) 950 feet North and 1050 feet West from the East Quarter Corner of Section 31, being within the (1) SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30; (2) SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 39 South, Range 8 West, W.M.

The applicants herein, owners of the lands above described, propose to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 1.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31; 2.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 39 South, Range 8 West, W.M.

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

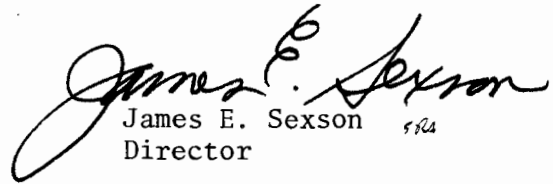
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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, 1981.

It is FURTHER ORDERED that the certificate recorded at page 36456, Volume 28, State Record of Water Right Certificates, is canceled; 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 applicants herein.

Dated at Salem, Oregon this 15th day of October, 1979.


James E. Sexson
Director