

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Lake County

IN THE MATTER OF THE APPLICATION)
OF HOWARD AND MARY TOWNE FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM THOMAS CREEK)
-----)

ORDER APPROVING
TRANSFER NO. 3544

On February 23, 1977, Howard and Mary Towne filed an application in the office of the Water Resources Director for approval of 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 5274, Volume 6, State Record of Water Right Certificates, in the name of William Woods describes a right for the use of water from Thomas Creek for stock water and irrigation of 16.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 38 South, Range 19 East, W.M., with a date of priority of 1895.

Water for the said right is diverted through the Junta Ditch from a point located 5 feet South and 2000 feet West from the Northeast corner of Section 22, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, Township 38 South, Range 19 East, W.M.

The applicants herein, owners of the lands above described, propose to sever the right therefrom, and without loss of priority to irrigate a certain 16.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, Township 38 South, Range 19 East, W.M.

Mr. Howard L. Daggett, 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 objection 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 of water from Thomas Creek described herein, without loss of priority, is approved.

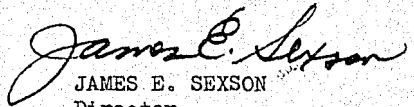
The certificate recorded at Page 44192, Volume 36, State Record of Water Right Certificates, in the name of Howard E. and Mary E. Towne, describes a right which includes use of water from a well located 730 feet South and 1280 feet West from the East quarter-corner of Section 23, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, Township 38 South, Range 19 East, W.M., with a date of priority of January 20, 1972, for irrigation and supplemental irrigation of both tracts of land above described.

It is FURTHER ORDERED that the right described by certificate recorded at Page 44192, Volume 36, State Record of Water Right Certificates, be, and the same hereby is, modified as to use of water for irrigation and for supplemental irrigation to accommodate the change in place of use of water from Thomas Creek allowed herein.

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 the certificate of water right heretofore issued to William Woods and recorded at Page 5274, Volume 6, 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 12th day of April, 1977.


JAMES E. SEXSON
Director