

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION OF )  
LEROY F. BRAUN (EAGLE POINT )  
IRRIGATION DISTRICT) FOR APPROVAL )  
OF A CHANGE IN PLACE OF USE OF WATER )

ORDER APPROVING  
TRANSFER 5853

On September 15, 1986, an application was filed in the office of the Water Resources Director by LeRoy F. Braun 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 of water right issued to Eagle Point Irrigation District and recorded at page 51331, Volume 46, State Record of Water Right Certificates, describes a right for the use of water from Big Butte Creek for irrigation of, among other lands, a certain 0.5 acre in NW 1/4 NW 1/4, Section 3, Township 35 South, Range 1 West, WM, with a date of priority of April 21, 1915.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom to a certain other 0.5 acre in NW 1/4 NW 1/4, said Section 3.

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.

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.

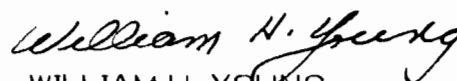
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the 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, 1988.

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 other changes within the District, and superseding Certificate 51331.

Dated at Salem, Oregon, this 4th day of November, 1986.

  
WILLIAM H. YOUNG, JR.  
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.