

## Douglas County

IN THE MATTER OF THE APPLICATION )  
 OF MRS. J. H. KLOPE FOR THE AP- )  
 PROVAL OF A CHANGE IN PLACE OF )  
 USE OF WATER FROM COUNCIL CREEK. )  
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ORDER APPROVING  
TRANSFER NO. 2729

On November 3, 1972, Mrs. J. H. Klope filed an application in the office of the State Engineer for the approval of a change in place of use of water from Council Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Mrs. J. H. Klope and recorded at page 19886, Volume 14, State Record of Water Right Certificates, confirms a right to the use of 0.024 cubic foot per second of water from Council Creek for the irrigation of, among other lands, 0.5 acre and domestic use lying West of the county road in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 33, Township 30 South, Range 6 West, W.M., with a date of priority of November 15, 1948.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 0.5 acre and domestic use lying East of the county road in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 33, Township 30 South, Range 6 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

Mr. M. John Youngquist, Watermaster of District No. 15, has filed a statement to the effect that the proposed change in place of use of water may be made without injury to existing rights.

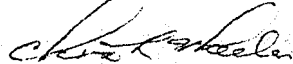
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to irrigation of 0.5 acre and domestic use lying West of the county road in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 33, Township 30 South, Range 6 West, W.M., with a date of priority of November 15, 1948, be severed therefrom and simultaneously and without loss of priority, transferred to 0.5 acre and domestic use lying East of the county road in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 33, Township 30 South, Range 6 West, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1973.

It is FURTHER ORDERED that certificate of water right heretofore issued to Mrs. J. H. Klope and recorded at page 19886, Volume 14, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use, a certificate of water right shall be issued to Mrs. J. H. Klope confirming the extent to which the water has been applied beneficially and covering the balance of the lands not involved in this proceeding.

Dated at Salem, Oregon, this 1st day of February, 1973.



CHRIS L. WHEELER  
State Engineer