

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF DITCH CREEK RANCH FOR THE AP-)
PROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM DITCH CREEK)

ORDER APPROVING
TRANSFER NO. 2470

On January 12, 1971, Ditch Creek Ranch filed an application in the office of the State Engineer for the approval of a change in place of use of water from Ditch Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Sylvester C. Hitson and recorded at page 19722, Volume 14, State Record of Water Right Certificates, confirms a right to the use of 0.23 cubic foot per second of the waters of Ditch Creek for the irrigation of 12.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 6.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33, Township 34 South, Range 4 West, W.M., with a date of priority of March 30, 1948.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 16.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, and 1.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32, Township 34 South, Range 4 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. David C. Hendrix, Watermaster of District No. 13, 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.

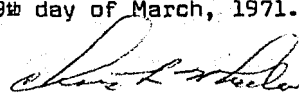
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

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 12.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 6.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33, Township 34 South, Range 4 West, W.M., with a date of priority of March 30, 1948, be severed therefrom and simultaneously and without loss of priority, transferred to 16.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, and 1.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32, Township 34 South, Range 4 West, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1971.

It is FURTHER ORDERED that certificate of water right heretofore issued to Sylvester C. Hitson and recorded at page 19722, 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 Ditch Creek Ranch confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 29th day of March, 1971.


CHRIS L. WHEELER
State Engineer