

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF EUGENE & CLAIRE L. DAVIS FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4059

On September 29, 1978, an application was filed in the office of the Water Resources Director by Eugene and Claire L. Davis for approval of a change in place of use of water from South Myrtle Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 16706, Volume 13, State Record of Water Right Certificates, in the name of George Gates, describes a right which includes the use of not to exceed 0.007 cubic foot per second from South Myrtle Creek for irrigation of 0.6 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 29 South, Range 5 West, W.M., with a date of priority of November 27, 1943.

The authorized point of diversion of record for said right is located within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 29 South, Range 5 West, W.M.

The applicants herein, owners of the lands above described, propose to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 0.6 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 29 South, Range 5 West, W.M.

Mr. M. John Youngquist, 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.

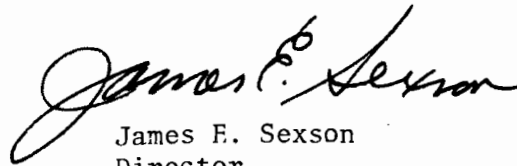
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1980.

It is FURTHER ORDERED that the certificate of water right heretofore issued to George Gates and recorded at page 16706, Volume 13, State Record of Water Right

Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; 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 16th day of January, 1979.

A handwritten signature in cursive script, reading "James F. Sexson". The signature is written in dark ink and is positioned above the printed name and title.

James F. Sexson
Director