

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION )  
OF DICK L. CHAMBERLAIN FOR AP- )  
PROVAL OF A CHANGE IN PLACE OF )  
USE OF WATER )  
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ORDER APPROVING  
TRANSFER NO. 4138

On January 22, 1979, an application was filed in the office of the Water Resources Director by Dick L. Chamberlain for approval of a change in place of use of water from Little Butte Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 42285, Volume 34, State Record of Water Right Certificates, in the name of Little Butte Irrigation Company, describes a right which includes the use of water from Little Butte Creek for irrigation of a certain 7.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 4.5 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , with a date of priority of 1883; and 2.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , with a date of priority of 1908, all in Section 34, Township 35 South, Range 1 West, W.M.

Water for the said right is diverted, through the Little Butte Company Canal, from a point located 560 feet North and 2990 feet East from the Southwest Corner of Section 31, being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31, Township 35 South, Range 1 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 11.5 acres, with a date of priority of 1883; and 2.0 acres, with a date of priority of 1908, in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 6, Township 36 South, Range 1 East, W.M.

Mr. David C. Hendrix, 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.

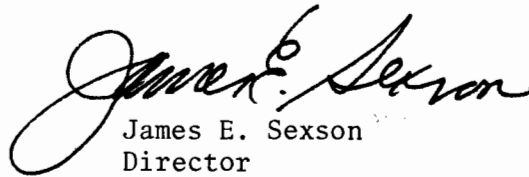
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

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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 upon receipt of 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, a certificate of water right shall be issued to Little Butte Irrigation Company at the time certificate is issued to the Company confirming other transfers within the Company.

Dated at Salem, Oregon this 12th day of February, 1979.



James E. Sexson  
Director