

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION )  
OF LYMAN A. RIGGS FOR APPROVAL OF )  
A CHANGE IN PLACE OF USE OF WATER )  
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ORDER APPROVING  
TRANSFER NO. 4575

On July 24, 1980, an application was filed in the office of the Water Resources Director by Lyman A. Riggs for approval of a change in place of use of water from Clapboard Gulch, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 29167, Volume 21, State Record of Water Right Certificates, in the name of Virgil and Catherine Berry, describes a right which includes the use of not to exceed 0.051 cubic foot per second from Clapboard Gulch for irrigation of a certain 3.0 acres in SW 1/4 SE 1/4, as projected within Davidson DLC 30, Section 3, Township 39 South, Range 5 West, W.M., with a date of priority of 1880.

Water for the said right is diverted, through the Miller Ditch, from a point located 250 feet North and 1100 feet West from the East Quarter Corner of Section 10, being within the SE 1/4 NE 1/4 of Section 10, Township 39 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 0.1 acre in SW 1/4 SE 1/4 and 2.9 acres in SE 1/4 SW 1/4, Section 3, Township 39 South, Range 5 West, W.M.

Mr. Robert B. Steimer, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

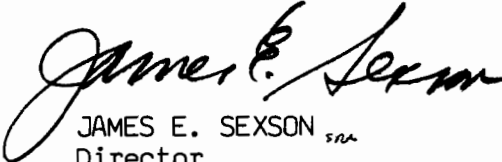
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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, 1981.

It is FURTHER ORDERED that the certificate recorded at page 29167, Volume 21, 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 applicant herein.

Dated at Salem, Oregon this 25th day of August, 1980.

  
JAMES E. SEXSON <sup>SR</sup>  
Director