

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION)
OF OLSON-LAWYER LUMBER, INC., FOR)
APPROVAL OF A CHANGE IN USE HERE-)
TOFORE MADE OF WATER)

ORDER APPROVING
TRANSFER NO. 2624

On April 10, 1972, an application was filed in the office of the Water Resources Director by Olson-Lawyer Lumber, Inc., for approval of a change in uses heretofore made of water from Mill Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right recorded at page 27741, Volume 19, State Record of Water Right Certificates, in the name of Ross Lumber Company, describes an existing right of record which includes the use of not to exceed 0.89 cubic foot per second from Mill Creek, being 0.60 cubic foot per second for steam boiler operation and 0.29 cubic foot per second for mill pond use, all within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, Township 33 South, Range 2 East, W.M., with a date of priority of March 19, 1941.

Water for the said right is diverted, through the Nye Ditch, from a point located 1921 feet North and 2729 feet East from the Southwest Corner of Section 28, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Township 32 South, Range 3 East, W.M.

The applicant herein, owner of the water right above described, proposes to change, without loss of priority, from the uses heretofore made and in lieu thereof to use 0.04 cubic foot per second for a supplemental supply for domestic use for two families in NW $\frac{1}{4}$ NE $\frac{1}{4}$, one family in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and one family in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 10; and to use 0.85 cubic foot per second for irrigation of 4.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.0 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1; 0.15 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.83 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 7.82 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10; 1.9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 8.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 21.9 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 9.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11; and 12.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16; and supplemental irrigation of 0.7 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11; all within Township 33 South, Range 2 East, W.M.

Notice of the application, pursuant to ORS 540.510, was published in The Mail Tribune, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of March 13, 20 and 27, 1978.

Mr. David C. Hendrix, Watermaster, has filed a statement to the effect that the proposed change in uses heretofore made of water may be made without injury to

existing rights.

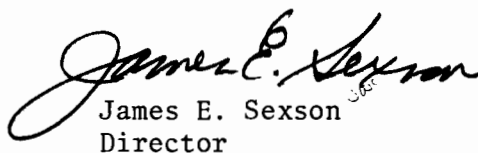
No objections having been filed and it appearing that the proposed change in uses heretofore made of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in uses heretofore made of water, 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, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Ross Lumber Company and recorded at page 27741, Volume 19, State Record of Water Right Certificates, is canceled; 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, and the order approving transfer No. 2626, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 23rd day of May, 1978.


James E. Sexson
Director