

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 PLACE OF)
USE OF WATER FROM A SPRING)

ORDER APPROVING
TRANSFER NO. 2627

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 place of use of water from unnamed No. 1 spring, pursuant to the provisions of ORS 540.510 to 540.530.

As modified in accord with the provisions of the order of the State Engineer, entered March 9, 1967, approving transfer application No. 0-52, the right previously described by the certificate recorded at page 13530, Volume 12, State Record of Water Right Certificates, now exists for the use of 0.04 cubic foot per second of water from unnamed No. 1 spring, being 0.01 cubic foot per second for one single family unit partially within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and partially within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, and 0.03 cubic foot per second for seven single family units within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ (actually within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 10, Township 33 South, Range 2 East, W.M., with a date of priority of June 30, 1939.

Water for said right is diverted from the spring located 225 feet North and 700 feet West from the North Quarter Corner of Section 10, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 33 South, Range 2 East, W.M.

The applicant herein, owner of the water right above described appurtenant to the seven single family units within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, proposes to change, without loss of priority, the place of use from one certain single family unit in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10 and in lieu thereof serve one additional single family unit in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 10.

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.

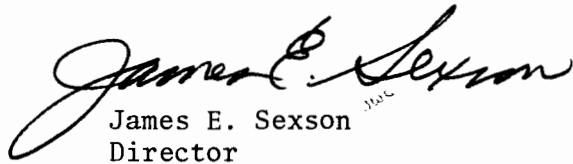
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1979.

The order approving transfer No. 0-52 provided for the cancellation of said certificate of water right recorded at page 13530, Volume 12, State Record of Water Right Certificates, and issuance of a new certificate; therefore,

It is FURTHER ORDERED that no new certificate be issued as provided in the order approving transfer No. 0-52, and that 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. 0-52, 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