

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF REGINALD F. PADDON FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM CALAPOOYA CREEK)
-----)

ORDER APPROVING
TRANSFER NO. 4360

On January 3, 1980, an application was filed in the office of the Water Resources Director by Reginald F. Paddon for approval of a change in place of use of water from Calapooya Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 22389, Volume 16, State Record of Water Right Certificates, in the name of Esselstrom Logging Company, describes a right which includes the use of not to exceed 0.64 cubic foot per second from Calapooya Creek for irrigation of a certain 24.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 7.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.0 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 18.1 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 25 South, Range 6 West, W.M., all as projected within Burk D.L.C. No. 42, with a date of priority of December 15, 1952.

Water for the said right is diverted from a point located 110 feet North and 1220 feet East from the Southwest Corner of W.C. Burk D.L.C. No. 42, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 25 South, Range 6 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 11.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, as projected within T. Barnard D.L.C. No. 63; 13.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 11.1 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, as projected within T. Barnard D.L.C. No. 63; 2.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 2.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, and 6.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, as projected within W.C. Burk D.L.C. No. 42, all in Township 25 South, Range 6 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.

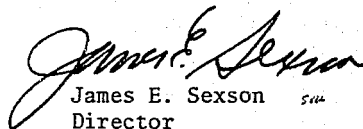
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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, 1981.

It is FURTHER ORDERED that the certificate recorded at page 22389, Volume 16, 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 28th day of January, 1980.


James E. Sexson
Director