

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

LAKE COUNTY

IN THE MATTER OF THE APPLICATION )	
OF ROSS H. AND DORIS COLAHAN FOR )	
APPROVAL OF A CHANGE IN POINT )	ORDER APPROVING
OF DIVERSION OF WATER )	TRANSFER 4976

On January 27, 1982, an application was filed in the office of the Water Resources Director by Ross H. and Doris Colahan for approval of a change in point of diversion of water from Chewaucan River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificates recorded at pages 41108, 41110 and 41111, Volume 33, State Record of Water Right Certificates, in the names of Ross H. and Doris Colahan, describe rights for the use of not to exceed 14.09 cubic feet per second from Chewaucan River, for irrigation and supplemental irrigation of:

41.6 acres in NE 1/4 NE 1/4	8.7 acres in NE 1/4 SE 1/4
41.4 acres in NW 1/4 NE 1/4	2.0 acres in SW 1/4 SE 1/4
38.8 acres in SW 1/4 NE 1/4	Section 23
41.1 acres in SE 1/4 NE 1/4	
39.6 acres in SE 1/4 NW 1/4	1.2 acres in NE 1/4 NW 1/4
19.9 acres in NE 1/4 SW 1/4	40.6 acres in NW 1/4 NW 1/4
6.3 acres in NW 1/4 SW 1/4	20.7 acres in SW 1/4 NW 1/4
7.0 acres in SE 1/4 SW 1/4	0.2 acre in NW 1/4 SW 1/4
	Section 24

Township 33 South, Range 18 East, WM

with dates of priority of April 30, 1964, July 22, 1966 and October 17, 1966.

Water for said rights is diverted, through the Conn Ditch, from a point located 3850 feet South and 1950 feet West from the Northeast Corner of Section 27, being within the NW 1/4 SE 1/4 of Section 27, Township 33 South, Range 18 East, WM, and through an unnamed ditch from a point located 440 feet South and 925 feet East from the Northeast Corner of Section 27, being within the NW 1/4 NW 1/4 of Section 26, Township 33 South, Range 18 East, WM.

The applicants herein, owners of the lands above described, propose to abandon the said Conn Ditch point of diversion, without loss of priority, and to divert water through the Conn Ditch, Mill Canal and aforesaid unnamed branch ditch from a point located 440 feet South and 925 feet East from the Northeast Corner of Section 27, being within the NW 1/4 NW 1/4 of Section 26, Township 33 South, Range 18 East, WM.

Notice of the application, pursuant to ORS 540.520(2), was published in the Lake County Examiner, a newspaper printed and having general circulation in Lake County, Oregon, for a period of three weeks in the issues of February 18, 25 and March 4, 1982.

Dennis R. Glender, Watermaster, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of diversion, as described herein, without loss of priority, is approved, WITH THE FOLLOWING CONDITIONS.

The quantity of water diverted at the new point of diversion shall not exceed 14.09 cubic feet per second, and shall not exceed the quantity of water available at the old point of diversion under the subject right.

The following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed:

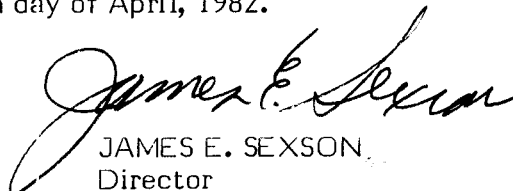
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

The construction work shall be completed and water used from the proposed point of diversion on or before October 1, 1983.

It is FURTHER ORDERED that the certificates recorded at pages 41108, 41110 and 41111, Volume 33, State Record of Water Right Certificates, are 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, confirming certificates of water right shall be issued to the applicants herein.

Dated at Salem, Oregon this 9th day of April, 1982.

  
JAMES E. SEXSON  
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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