

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION OF)	
AMOS VAHRENWALD FOR APPROVAL OF A)	ORDER APPROVING
CHANGE IN POINT OF DIVERSION OF WATER)	TRANSFER 5312

On July 5, 1983, an application was filed in the office of the Water Resources Director by Amos Vahrenwald for approval of a change in point of diversion of water from Sucker Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 7770, Volume 7, State Record of Water Right Certificates, in the name of Artie E. Thomblinson, describes a right which includes the use of not to exceed 0.27 cubic foot per second from Sucker Creek, for irrigation of 16.0 acres in NE 1/4 NW 1/4 and 5.0 acres in SE 1/4 NW 1/4, Section 1, Township 40 South, Range 8 West, WM, with a date of priority of November 1, 1919.

Water for the said right is diverted, through the Thomblinson Ditch, from a point located 1650 feet North and 825 feet East from the Southwest Corner of Section 31, being within the NW 1/4 SW 1/4 of Section 31, Township 39 South, Range 7 West, WM.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom to a point located 1500 feet North and 10 feet East from the Southwest Corner of Section 31, being within the NW 1/4 SW 1/4 of Section 31, Township 39 South, Range 7 West, WM. The change in point of diversion is reported to be completed.

Robert B. Steimer, 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 proposed change in point of diversion is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.27 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

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.

It is FURTHER ORDERED that the certificate recorded at page 7770, Volume 7, 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 January, 1984.

William H. Young
WILLIAM H. YOUNG
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.

0271C