

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JEFFERSON COUNTY

IN THE MATTER OF THE APPLICATION)
OF MORROW BROS. FOR APPROVAL OF)
A CHANGE IN POINT OF DIVERSION)
OF WATER FROM WILLOW CREEK)

ORDER APPROVING
TRANSFER NO. 3408

On May 10, 1976, an application was filed in the office of the Water Resources Director by Morrow Bros., for an additional point of diversion under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right recorded at Page 13618, Volume 13, State Record of Water Right Certificates, in the name of Grizzly Livestock & Land Co., describes an existing right of record for the use of water from Willow Creek for irrigation of 25.9 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 0.96 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 7.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20; 11.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 2.91 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 12 South, Range 15 East, W.M., with a date of priority of 1875.

Water for the said right is diverted from a point located 1400 feet North and 1000 feet East from the Southwest corner of Section 21, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 12 South, Range 15 East, W.M.

The applicant herein, owner of the lands above described, proposes to establish, without loss of priority, an additional point of diversion located 1465 feet North and 1440 feet West from the Southeast corner of Section 20, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, Township 12 South, Range 15 East, W.M., for irrigation of said lands.

Notice of the application, pursuant to ORS 540.510, was published in the Madras Pioneer, a newspaper printed and having general circulation in Jefferson County, Oregon, for a period of three weeks in the issues of April 7, 14 and 21, 1977.

Mr. Bruce A. Estes, 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 additional point of diversion as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install head-gates 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;

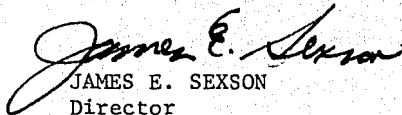
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore

issued to Grizzly Livestock & Land Co., and recorded at Page 31618, Volume 12, 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 a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 22nd day of July, 1977,


JAMES E. SEXSON
Director