

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION OF)
WILLIAM G. & CORA E. CROY, ET AL FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4353

On December 21, 1979, an application was filed in the office of the Water Resources Director by William G. and Cora E. Croy, Gary L. and Anna D. Jones, John D. and B. Esther Carlock, and William and Jean Ulam for approval of a change in point of diversion from Canyon Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 48132, Volume 41, State Record of Water Right Certificates, in the names of T.C. Shaw, E.W. Elliott and Mrs. Mary Odle, describes a right which includes the use of not to exceed 0.012 cubic foot per second from Canyon Creek for irrigation of a certain 0.98 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 30 South, Range 5 West, W.M., with a date of priority of February 10, 1912.

Water for the said right is diverted, through the Elliott and Shaw Ditch, from a point located 14 rods South and 20 rods West from the Northeast Corner of J. Roberts D.L.C. No. 59, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 30 South, Range 5 West, W.M.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom to a point located 2000 feet North and 390 feet West from the Northeast Corner of J. Roberts D.L.C. No. 59, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 30 South, Range 5 West, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the News Review, a newspaper printed and having general circulation in Douglas County, Oregon, for a period of three weeks in the issues of January 7, 14 and 21, 1980.

Mr. M. John Youngquist, 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 applica-

tion 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.

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.

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;

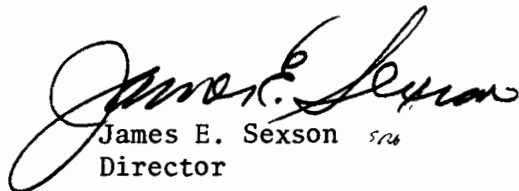
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that NO time need be fixed for completion as the change in point of diversion is completed.

The order of the Water Resources Director entered December 4, 1979, approving transfer No. 4258, provided for cancellation of the certificate recorded at page 48132, Volume 41, State Record of Water Right Certificates, and issuance of a new certificate covering the balance of the right NOT involved in the transfer proceedings; therefore,

It is FURTHER ORDERED that the portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered December 4, 1979, approving transfer No. 4258; 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 applicants herein.

Dated at Salem, Oregon this 10th day of April, 1980.


James E. Sexson *sex*
Director