

BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION )  
OF CITY OF ROSEBURG FOR THE AP- )  
PROVAL OF A CHANGE IN POINT OF )  
DIVERSION AND PLACE OF USE OF )  
WATER FROM SOUTH UMPQUA RIVER )  
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ORDER APPROVING  
TRANSFER NO. R-111

On August 12, 1968, City of Roseburg filed an application in the office of the State Engineer for the approval of a change in point of diversion and place of use of water from South Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to H. L. or Bertha Lee Bailey and recorded at page 22104, Volume 16, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.01 cubic foot per second of water from South Umpqua River for the irrigation of 0.77 acre in NW¼ NW¼, Section 19, Township 27 South, Range 5 West, W.M., with a date of priority of March 8, 1954. These lands are irrigated from a point of diversion located S 4° E 717 feet from the NW corner of Section 19 being within the NW¼ NW¼ of Section 19, Township 27 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use of water from 0.2 acre in NW¼ NW¼, Section 19, Township 27 South, Range 5 West, W.M., without loss of priority, to 0.11 acre in NW¼ NW¼, Section 19, Township 27 South, Range 5 West, W.M. and 0.09 acre in NE¼ NE¼, Section 24, Township 27 South, Range 6 West, W.M. and irrigate these lands and the balance of the lands above described from a point of diversion to be located S 19° 30' W 1010 feet from the NE corner of Section 24, being within the NE¼ NE¼ of Section 24, Township 27 South, Range 6 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions, nor is notice by publication required for a change in place of use of water.

Mr. M. John Youngquist, Watermaster of District No. 15, has filed a report to the effect that the proposed change in point of diversion and place of use of water may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the change in place of use of water is approved and the water right hereinbefore described as appurtenant to 0.2 acre in NW¼ NW¼, Section 19, Township 27 South, Range 5 West, W.M., with a date of priority of March 8, 1954, be severed therefrom and simultaneously and without loss of priority transferred to 0.11 acre in NW¼ NW¼, Section 19, Township 27 South, Range 5 West, W.M. and 0.09 acre in NE¼ NE¼, Section 24, Township 27 South, Range 6 West, W.M.

It is FURTHER ORDERED that the proposed change in point of diversion of water from South Umpqua River, to-wit:

From a point located S 4° E 717 feet from the NW corner of Section 19 being within the NW¼ NW¼ of Section 19, Township 27 South, Range 5 West, W.M.

To a point to be located S 19° 30' W 1010 feet from the NE corner of Section 24 being within the NE¼ NE¼ of Section 24, Township 27 South, Range 6 West, W.M.

for the irrigation of 0.68 acre in NW¼ NW¼, Section 19, Township 27

South, Range 5 West, W.M. and 0.09 acre in NE¼ NE¼, Section 24, Township 27 South, Range 6 West, W.M., with a date of priority of March 8, 1954, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use and the change in point of diversion made on or before October 1, 1970.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water that is available at the old point of diversion and shall be limited to 0.01 cubic foot per second.

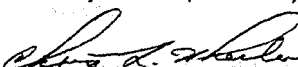
It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

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 certificate of water right heretofore issued to H. L. or Bertha Lee Bailey and recorded at page 22104, Volume 16, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion and place of use, a certificate of water right shall be issued to City of Roseburg confirming the extent to which the water has been applied beneficially and the change in point of diversion.

Dated at Salem, Oregon, this 12<sup>th</sup> day of September, 1969.

  
CHRIS L. WHEELER  
State Engineer