

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION )  
OF L. F. LAKEY FOR THE APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM UMPQUA RIVER )  
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ORDER APPROVING  
TRANSFER NO. 3383

On April 1, 1976, L. F. Lakey filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from Umpqua river, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to P. W. George and recorded at Page 40356, Volume 32, State Record of Water Right Certificates, confirmed a right to the use of not to exceed 0.63 cubic foot per second of water from Umpqua River for the irrigation of, among other lands, 5.3 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 20, Township 23 South, Range 7 West, W.M., with a date of priority of March 12, 1951. These lands are irrigated from a point of diversion located 1630 feet North and 820 feet West from the Southeast corner of Section 20, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 20, Township 23 South, Range 7 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 1250 feet North and 20 feet West from the Southeast corner of Section 20, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 20, Township 23 South, Range 7 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 our-fourth mile where there is no intervening diversion.

Mr. M. John Youngquist, Watermaster of District No. 15, has filed a report to the effect that the proposed change in point of diversion of water 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 change in point of diversion of water from Umpqua River, to wit:

From a point located 1630 feet North and 820 feet West from the Southeast corner of Section 20, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 20, Township 23 South, Range 7 West, W.M.

To a point to be located 1250 feet North and 20 feet West from the Southeast corner of Section 20, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 20, Township 23 South, Range 7 West, W.M.

for the irrigation of 5.3 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 20, Township 23 South, Range 7 West, W.M., with a date of priority of March 12, 1951, is approved.

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, 1977.

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, and shall not exceed 0.066 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 head-gates and measuring devices.

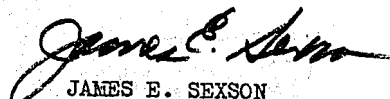
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

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.

On December 5, 1975, an order was entered by the Water Resources Director approving a change in point of diversion for part of the right evidenced by the certificate recorded at Page 40356. Said order canceled the certificate recorded at Page 40356, and provided for a new certificate to be issued covering the balance of the right not involved in the change.

It is FURTHER ORDERED that the part 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 5, 1975, and upon receipt of proof satisfactory to the Water Resources Director of completion of the change in point of diversion authorized herein, a certificate of water right shall be issued to L. F. Lakey confirming the change in point of diversion.

Dated at Salem, Oregon, this 7th day of May, 1976.

  
JAMES E. SEXSON  
Director