

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF RALPH WINNIFORD FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM CALAPOOYA CREEK)
- - - - -

ORDER APPROVING
TRANSFER NO. 4131

On January 16, 1979, an application was filed in the office of the Water Resources Director by Ralph Winniford for approval of a change in point of diversion of water from Calapooya Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By performance under the provisions of an order of the Water Resources Director entered October 25, 1976, approving transfer No. 3480, a water right now exists for the use of not to exceed 0.28 cubic foot per second of water from Calapooya Creek for irrigation of a certain 21.9 acres in SW¹/₄ SW¹/₄, as projected within C. Grover D.L.C. No. 43, of Section 28, Township 25 South, Range 6 West, W.M., with a date of priority of April 4, 1957.

The authorized point of diversion of record for said right is located 1300 feet North and 1880 feet West from the Southeast Corner of Section 29, being within the SW¹/₄ SE¹/₄ of Section 29, Township 25 South, Range 6 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 1125 feet North and 825 feet East from the Southwest Corner of Section 28, being within the SW¹/₄ SW¹/₄ of Section 28, Township 25 South, Range 6 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 April 3, 10 and 17, 1979.

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 made 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 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, and shall not exceed 0.28 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:

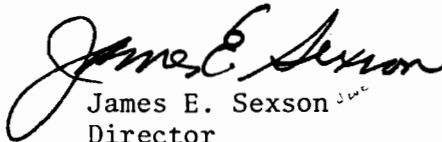
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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

It is FURTHER ORDERED that 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 8th day of June, 1979.


James E. Sexson
Director