

Douglas County

IN THE MATTER OF THE APPLICATION)
 OF ROBERT H. HAWTHORNE FOR THE)
 APPROVAL OF A CHANGE IN POINT OF)
 DIVERSION OF WATER FROM UMPQUA)
 RIVER)

ORDER APPROVING
TRANSFER NO. 3345

On January 2, 1976, Robert H. Hawthorne 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 recorded at Page 40356, Volume 32, State Record of Water Right Certificates, in the name of P. W. George, describes an existing right of record which includes the use of not to exceed 0.05 cubic foot per second from Umpqua River for irrigation of 1.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, Township 23 South, Range 7 West, W.M., with a date of priority of March 12, 1951.

Water for the said right is diverted from a point located 250 feet North and 1150 feet East from the Southwest corner of Section 21, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 23 South, Range 7 West, W.M.

The applicant herein, contract purchaser of the lands above described, proposes to change, without loss of priority, the point of diversion to a point located 360 feet South and 1600 feet East from the Northwest corner of Section 28, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, Township 23 South, Range 7 West, W.M.

Notice of the application, pursuant to ORS 540.510 was published in the Sutherlin Sun-Tribune, a newspaper printed and having general circulation in Douglas County, Oregon, for a period of three weeks in the issues of April 22 and 29, and May 6, 1976.

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

No objection 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 change in point of diversion from Umpqua River 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, and shall not exceed 0.05 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;

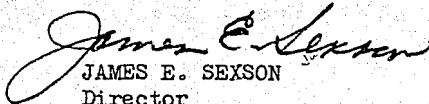
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1978.

On December 5, 1975, an order was entered by the Water Resources Director approving transfer application No. 3180 for a change in point of diversion for part of the right evidenced by the certificate recorded at Page 40356, Volume 32, State Record of Water Right Certificates, and providing for cancelation of the said certificate and issuance of a new certificate describing 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 of 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 shall be issued to Robert H. Hawthorne confirming the change in point of diversion.

Dated at Salem, Oregon, this 16th day of December, 1976.


JAMES E. SEXSON
Director