

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION OF )  
RICHARD L. AND NANCY A. McLAUGHLIN )  
FOR APPROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER )  
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ORDER APPROVING  
TRANSFER NO. 2537

On June 15, 1971, an application was filed in the office of the Water Resources Director by Richard L. and Nancy A. McLaughlin for approval of a change in point of diversion from Anderson Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 16078, Volume 13, State Record of Water Right Certificates, in the name of Mary A. Bailey, describes a right which includes the use of not to exceed 0.01 cubic foot per second from Anderson Creek for irrigation of a certain 0.6 acre in NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 34, Township 38 South, Range 1 West, W.M., with a date of priority of 1857.

Water for the said right is diverted, through the Baldwin Ditch, from a point located South 30 degrees West, 570 feet from the East Quarter Corner of Section 33, being within the NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of Section 33, Township 38 South, Range 1 West, W.M.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom, without loss of priority, to a point located 200 feet South and 135 feet East from the West Quarter Corner of Section 34, being within the NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 34, Township 38 South, Range 1 West, W.M.

Mr. David C. Hendrix, 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 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.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install head-gates and measuring devices:

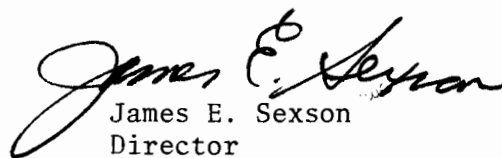
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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.

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, the certificate of water right heretofore issued to Mary A. Bailey and recorded at page 16078, Volume 13, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right be issued.

Dated at Salem, Oregon, this 3rd day of January, 1978.

  
James E. Sexson  
Director