

BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION  
OF JIMMY AND CARMA BURWELL FOR THE  
APPROVAL OF A CHANGE IN POINT OF  
DIVERSION OF WATER FROM SOUTH UMPQUA  
RIVER

ORDER APPROVING  
TRANSFER NO. 3093

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On July 16, 1974, Jimmy and Carma Burwell filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from South Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Melvin G. Coffman and recorded at page 26319, Volume 18, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.26 cubic foot per second of water from South Umpqua River for the irrigation of, among other lands, 0.8 acre in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 19, Township 30 South, Range 5 West, W.M., with a date of priority of July 29, 1953. These lands are irrigated from a point of diversion located 1750 feet North and 1075 feet East from the South quarter-corner of Section 19, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 19, Township 30 South, Range 5 West, W.M.

The applicants herein, contract purchasers of the lands above described, propose to irrigate these lands from a point of diversion to be located 1460 feet North and 2445 feet West from the Southeast corner of Section 19, being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 19, Township 30 South, Range 5 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.

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 South Umpqua River, to wit:

From a point located 1750 feet North and 1075 feet East from the South quarter-corner of Section 19, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 19, Township 30 South, Range 5 West, W.M.

To a point to be located 1460 feet North and 2445 feet West from the Southeast corner of Section 19, being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 19, Township 30 South, Range 5 West, W.M.

for the irrigation of 0.8 acre in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 19, Township 30 South, Range 5 West, W.M., with a date of priority of July 29, 1953, 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, 1975.

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 0.01 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 Melvin G. Coffman and recorded at page 26319, Volume 18, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Jimmy and Carma Burwell confirming the change in point of diversion.

Dated at Salem, Oregon, this 25th day of February, 1975.



CHRIS L. WHEELER  
State Engineer