

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION OF)
PATTY LUE SILCOCKS FOR APPROVAL OF A)
CHANGE IN POINT OF DIVERSION OF WATER)
FROM APPELLEGATE RIVER)

ORDER APPROVING
TRANSFER NO. 3761

On August 18, 1977, an application was filed in the office of the Water Resources Director by Patty Lue Silcocks for a change in point of diversion under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 32901, Volume 24, State Record of Water Right Certificates, in the names of Winnefred and Dwight D. Tibbett, describes a right which includes the use of not to exceed 0.03 cubic foot per second from Applegate River for irrigation of 1.7 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, Township 37 South, Range 5 West, W.M., with a date of priority of February, 1899.

Water for the said right is diverted from a point located 650 feet South and 1500 feet East from the Northwest corner of Section 20, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 20.

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 700 feet South and 1150 feet East from the Northwest corner of Section 20, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 20.

Mr. Robert B. Steimer, 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

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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 proposed 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, and shall not exceed 0.03 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:

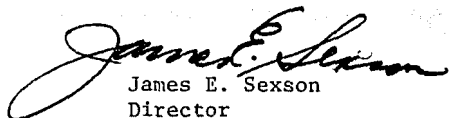
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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.

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, 1979.

It is FURTHER ORDERED that the portion 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 May 25, 1977, approving transfer application No. 3588, 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 the applicant herein confirming the change in point of diversion.

z Dated at Salem, Oregon, this 29th day of August, 1977.


James E. Sexson
Director