

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)	
OF JOSEPH R. JEFFRIES)	ORDER APPROVING
FOR APPROVAL OF A CHANGE IN)	TRANSFER 5519
POINT OF DIVERSION OF WATER)	

On August 15, 1984, an application was filed in the office of the Water Resources Director by Joseph R. Jeffries for approval of a change in point of diversion of water from Althouse Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 53115, Volume 48, State Record of Water Right Certificates, in the names of Barbara Bales, et al, describes a right which includes the use of not to exceed 0.12 cubic foot per second from Althouse Creek, for irrigation of a certain 0.5 acre in SE 1/4 SE 1/4, as projected within J. Thomas DLC 45, Section 12; 0.69 acre in NE 1/4 NE 1/4, as projected within J. Thomas DLC 45, Section 13; Township 40 South, Range 8 West, WM; 0.8 acre in SW 1/4 SW 1/4, as projected within J. Thomas DLC 37 and 1.0 acre in SW 1/4 SW 1/4, as projected within N. Patterson DLC 38, Section 7; 2.03 acres in NW 1/4 NW 1/4, as projected within N. Patterson DLC 38 and 1.0 acre in NW 1/4 NW 1/4, as projected within N. Patterson DLC 37, Section 18, Township 40 South, Range 7 West, WM with a date of priority of 1870.

Water for said right is diverted, through the Morey Ditch, from a point located 860 feet North and 2090 feet East from the Northwest Corner of Section 18, being within the NE 1/4 NW 1/4 of Section 18, Township 40 South, Range 7 West, WM.

The applicant herein, owner of the lands above described, proposed to change the point of diversion therefrom to a point located 150 feet North and 350 feet East from the Southwest Corner of Section 7, being within the SW 1/4 SW 1/4 of Section 7, Township 40 South, Range 8 West, WM.

Notice of the application, pursuant to ORS 540.520(2), was published in the Illinois Valley News, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of May 30, June 6 and 13, 1985.

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 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 is approved, without loss of priority.

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 0.12 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:

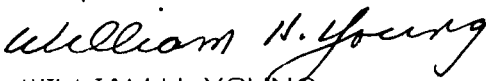
That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the construction work shall be completed and water used from the proposed point of diversion on or before October 1, 1986.

It is FURTHER ORDERED that the certificate recorded at page 53115, Volume 48, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and 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 5th day of August, 1985


WILLIAM H. YOUNG
Director

NOTE: Approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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