

## Jackson County

IN THE MATTER OF THE APPLICATION }  
 OF JACKSON COUNTY FOR THE APPROVAL }  
 OF A CHANGE IN USE OF WATER FROM }  
 ROGUE RIVER }

ORDER APPROVING  
TRANSFER NO. 3418

On June 1, 1976, Jackson County Political Subdivision filed an application in the office of the Water Resources Director for the approval of a change in use heretofore made of water from Rogue River pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right recorded at Page 15838, Volume 13, State Record of Water Right Certificates, in the name of California-Oregon Power Company, describes an existing right of record which includes the use of not to exceed 42.0 cubic feet per second from Rogue River for power development at Gold Ray Power plant in S $\frac{1}{2}$ , Section 18, Township 36 South, Range 2 West, W.M., with a date of priority of August 5, 1902.

Water for the said right is diverted from a point located North 3 degrees 2 minutes West, 1079 feet from the South quarter-corner of Section 18, being within the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 18, Township 36 South, Range 2 West, W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the use heretofore made and to use 40.0 cubic feet per second to maintain flow through fish passageways and counting station at Gold Ray Dam within the E $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 18; and 2.0 cubic feet per second to maintain the recreation pool above the dam, within S $\frac{1}{2}$  NE $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$  and SE $\frac{1}{4}$  of Section 18, and N $\frac{1}{2}$  N $\frac{1}{4}$  of Section 19, Township 36 South, Range 2 West, W.M.

Notice of the application, pursuant to ORS 540.510 was published in the Medford Mail-Tribune, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of November 26, December 3 and 10, 1976.

Mr. David C. Hendrix, Watermaster of District No. 13, has filed a statement to the effect that the proposed change in use may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed change in use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in use heretofore made of water from Rogue River 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 42.0 cubic feet 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;

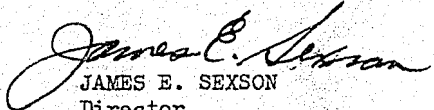
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1978.

The applicant herein has authorized cancelation of the balance of the right described by the certificate recorded at Page 15838, Volume 13, State Record of Water Right Certificates, not involved in this proceeding.

It is FURTHER ORDERED that the certificate of water right heretofore issued to The California-Oregon Power Company and recorded at Page 15838, Volume 13, State Record of Water Right Certificates, is canceled, 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 Jackson County Political Subdivision.

Dated at Salem, Oregon, this 24th day of January, 1977.

  
JAMES E. SEXSON  
Director