

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UNION COUNTY

IN THE MATTER OF THE APPLICATION)
OF SHERMAN E. AND M. HAZEL HAWKINS)
FOR APPROVAL OF AN ADDITIONAL POINT)
OF DIVERSION OF WATER FROM)
CATHERINE CREEK)
-----)

ORDER APPROVING
TRANSFER NO. 3548

On February 25, 1977, an application was filed in the office of the Water Resources Director by Sherman E. and M. Hazel Hawkins for an additional 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 6151, Volume 6, State Record of Water Right Certificates, in the name of Amalgamated Sugar Co., describes a right which includes the use of water from Catherine Creek for irrigation of 40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 31.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 9.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27; 40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 3.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, Township 3 South, Range 39 East, W.M., with a date of priority of June, 1905.

Water for the said right is diverted, through the Godley No. 2 Ditch, from a point located 1150 feet North and 2750 feet West from the Southeast corner of Section 3, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 4 South, Range 39 East, W.M.

The applicants herein, owners of the lands above described, propose to establish, without loss of priority, an additional point of diversion from Catherine Creek for irrigation of said lands at a point located 1980 feet South and 1617 feet West from the center of Section 27, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 3 South, Range 39 East, W.M.

Notice of the application, pursuant to ORS 540-510, was published in the

Eastern Oregon Review, a newspaper printed and having general circulation in Union County, Oregon, for a period of three weeks in the issues of May 26, June 2 and 9, 1977.

Mr. H. Boyd Hadden, Watermaster, has filed a statement to the effect that the proposed additional point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed additional 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 additional 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, together with that diverted at the old 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 judgement of the watermaster it becomes necessary to install head-gates and measuring devices:

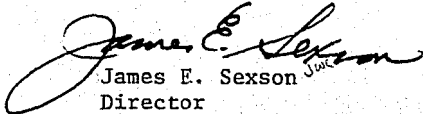
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 certificate of water right heretofore issued to Amalgamated Sugar Company and recorded at page 6151, Volume 6, 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 12th day of September, 1977.


James E. Sexson
Director