

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION OF )  
JUANITA M. (YOUNG) HIATT FOR APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION OF )  
WATER FROM APPEGATE RIVER )  
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ORDER APPROVING  
TRANSFER NO. 3617

On April 8, 1977, an application was filed in the office of the Water Resources Director by Juanita M. (Young) Hiatt 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 32815, Volume 24, State Record of Water Right Certificates, in the name of Glenn Provolt, describes a right which includes the use of not to exceed 0.44 cubic foot per second from Applegate River for irrigation of 22.3 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 7, Township 38 South, Range 4 West, W.M., with a date of priority of October, 1898.

Water for the said right is diverted, through the Bridgepoint Ditch, from a point located 1075 feet North and 1660 feet West from the Southeast corner of Section 17, being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 17, Township 38 South, Range 4 West, W.M.

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 730 feet South and 1070 feet East from the center of Section 7, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 7, Township 38 South, Range 4 West, W.M.

Notice of the application, pursuant to ORS 540.510, was published in the Ashland Daily Tidings, a newspaper printed and having general circulation in Jackson County, Oregon for a period of three weeks in the issues of July 1, 8 and 15, 1977.

Mr. David C. Hendrix, 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 requested change in point of diversion as described herein, 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 under the subject right, and shall not exceed 0.44 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;

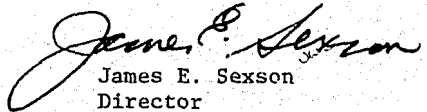
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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 certificate of water right heretofore issued to Glenn Provolt and recorded at page 32815, Volume 24, 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