

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION OF )  
BARBARA L. GRANT FOR APPROVAL OF A )  
CHANGE IN POINT OF DIVERSION OF WATER )  
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ORDER APPROVING  
TRANSFER 5001

On March 5, 1982, an application was filed in the office of the Water Resources Director by Barbara L. Grant for approval of a change in point of diversion from Applegate River, pursuant to the provisions of ORS 540.510 to 540.530.

Pursuant to said provisions, a change in point of diversion was allowed by Order of the Water Resources Director and entered at page 393, Volume 32, Special Order Record, approving Transfer 4245, for the use of not to exceed 0.45 cubic foot per second from Applegate River, for irrigation of 11.0 acres in SE 1/4 NE 1/4, 2.0 acres in NE 1/4 SE 1/4, Section 22; 8.0 acres in SW 1/4 NW 1/4 and 15.0 acres in NW 1/4 SW 1/4, Section 23, Township 38 South, Range 4 West, WM, with a date of priority of March 25, 1918.

Water for the said right is diverted from a point located 50 feet North and 570 feet West from the East Quarter Corner of Section 22, being within the SE 1/4 NE 1/4 of Section 22, Township 38 South, Range 4 West, WM.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to the original point of diversion for said property, Kubli Ditch, located 2,510 feet South and 3,370 feet West from the Northeast Corner of Long DLC 39, being within the SE 1/4 SW 1/4 of Section 30, Township 38 South, Range 3 West, WM.

Notice of the application, pursuant to ORS 540.520(2), was published in the Mail Tribune, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of April 7, 14 and 21, 1982.

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, without loss of priority, is approved, WITH THE FOLLOWING CONDITIONS.

The quantity of water diverted at the new point of diversion shall not exceed 0.45 cubic foot per second, and shall not exceed the quantity of water available at the old point of diversion under the subject right.

The following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

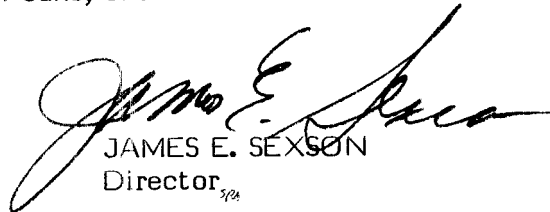
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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.

NO time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that 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 15 day of June, 1982.

  
JAMES E. SEXSON  
Director<sup>SR</sup>

NOTE: The 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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