

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION)
OF A. J. BLACK FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM SOUTH UMPQUA RIVER)

ORDER APPROVING
TRANSFER NO. 3281

On July 11, 1975, A. J. Black filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from South Umpqua River pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Charles L. Hughes and recorded at Page 34870, Volume 26, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.15 cubic foot per second of water from South Umpqua River for the irrigation of, among other lands, 3.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 29 South, Range 6 West, W.M., with a date of priority of February 5, 1964. These lands are irrigated from a point of diversion located 410 feet South and 1325 feet East from the North quarter-corner of Section 4, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 29 South, Range 6 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 380 feet South and 1090 feet East from the North quarter-corner of Section 4, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 4, Township 29 South, Range 6 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions.

Mr. M. John Youngquist, Watermaster, of District No. 15, has filed a report to the effect that the proposed change in point of diversion of water 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 change in point of diversion of water from South Umpqua River, to wit:

From a point located 410 feet South and 1325 feet East from the North quarter-corner of Section 4, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 29 South, Range 6 West, W.M.

To a point to be located 380 feet South and 1090 feet East from the North quarter-corner of Section 4, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 29 South, Range 6 West, W.M.

for the irrigation of 3.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 29 South, Range 6 West, W.M., with a date of priority of February 5, 1964, is approved.

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, 1976.

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 0.04 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.

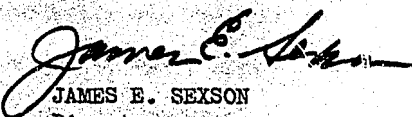
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

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.

A concurrent order entered by the Water Resources Director confirmed a change in point of diversion for that portion of the right evidenced by the certificate recorded at Page 38470 providing for the use of not to exceed 0.03 cubic foot per second from the South Umpqua River for the irrigation of 2.1 acres. Said order canceled the certificate recorded at Page 38470 and provided for a new certificate to be issued covering the balance of the right not involved in the changes.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director of completion of the change in point of diversion authorized herein, a certificate of water right shall be issued to A. J. Black confirming the change in point of diversion.

Dated at Salem, Oregon, this 14th day of January, 1976.


JAMES E. SEXSON
Director