

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION OF)
DONALD RAY & BESSIE LaRENA BRETZ FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4013

On August 3, 1978, an application was filed in the office of the Water Resources Director by Donald Ray and Bessie LaRena Bretz for approval of a change in point of diversion from North Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 45495, Volume 37, State Record of Water Right Certificates, in the name of G. H. Harrell, describes a right which includes the use of not to exceed 0.011 cubic foot per second from North Umpqua River for irrigation of 0.9 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within McKinney D.L.C. No. 45, Section 23, Township 26 South, Range 6 West, W.M., with a date of priority of May 13, 1963.

The authorized point of diversion of record for said right is located 2550 feet South and 2620 feet West from the East Quarter Corner of Section 14, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 26 South, Range 6 West, W.M.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom, without loss of priority, to a point located 840 feet South and 2050 feet East from the Southeast Corner of Section 14, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 26 South, Range 6 West, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the News-Review, a newspaper printed and having general circulation in Douglas County, Oregon, for a period of three weeks in the issues of August 11, 18 and 25, 1978.

Mr. M. John Youngquist, 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.

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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.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster, it becomes necessary to install headgates and measuring devices:

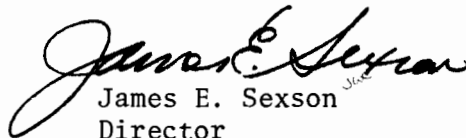
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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.

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, 1980.

It is FURTHER ORDERED that the portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered July 27, 1978, approving transfer application No. 3993; 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 applicants herein.

Dated at Salem, Oregon this 6th day of October, 1978.


James E. Sexson
Director