

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION }
OF KENNETH A. LUCREZI FOR THE }
APPROVAL OF A CHANGE IN POINT OF }
DIVERSION OF WATER FROM WEST FORK }
WILLIAMS CREEK }

ORDER APPROVING
TRANSFER NO. 3411

On May 14, 1976, Kenneth A. Lucrezi filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from West Fork Williams Creek pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right recorded at Page 43766, Volume 35, State Record of Water Right Certificates, in the name of Charles W. Retzloff, Richard W. and Vivian C. Lathan, and Rondel C. Bridges, describes an existing right of record which includes the use of not to exceed 0.045 cubic foot per second from West Fork of Williams Creek, with a date of priority of 1875, for the irrigation of 2.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 39 South, Range 5 West, W.M., being further described as Lot 17, Retzloff Partition of the NW $\frac{1}{4}$ of Section 3, Township 39 South, Range 5 West, W.M., recorded in Josephine County.

Water for the said right is diverted through the Chapman ditch from a point located 440 feet South and 1200 feet West from the East quarter-corner of Section 4, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, Township 39 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the point of diversion and to irrigate these lands from a point located 200 feet North and 750 feet East from the West quarter-corner of Section 3, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 39 South, Range 5 West, W.M.

Notice of the application, pursuant to ORS 540.510 was published in the Grants Pass Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of November 19, 26 and December 3, 1976.

Mr. Robert B. Steimer, Watermaster of District No. 14, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objection 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 from West Fork Williams Creek described herein, without loss of priority, 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, and shall not exceed 0.045 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 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;

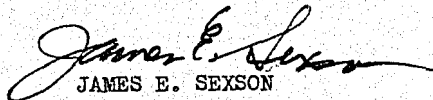
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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, 1978.

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 February 15, 1977, approving transfer application No. 3357, and 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 Kenneth A. Lucrezi confirming the change in point of diversion.

Dated at Salem, Oregon, this 15th day of February, 1977.


JAMES E. SEXSON
Director