

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
JACKSON COUNTY

IN THE MATTER OF THE APPLICATION )  
OF PATRICK A. & CHRISTENE L. )  
BLAKELY FOR APPROVAL OF CHANGES )  
IN PLACE OF USE AND POINT OF )  
DIVERSION OF WATER )  
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ORDER APPROVING  
TRANSFER NO. 3725

On July 8, 1977, an application was filed in the office of the Water Resources Director by Patrick A. and Christene L. Blakely for approval of changes in place of use and point of diversion from Little Butte Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 38305, Volume 30, State Record of Water Right Certificates, in the names of E. D. Warrick, F. N. Stevens and E. & M. Kunkel, describes a right which includes the use of not to exceed 0.01 cubic foot per second from Little Butte Creek for irrigation of a certain 0.5 acre in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 35, Township 35 South, Range 1 West, W.M., with a date of priority of 1883.

Water for the said right is diverted, through the Little Butte Irrigation Company Ditch, from a point located 560 feet North and 2990 feet East from the Southwest Corner of Section 31, being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31, Township 35 South, Range 1 East, W.M.

The applicants herein, owners of the lands above described, propose to change the place of use and point of diversion therefrom and, without loss of priority, to irrigate in lieu thereof a certain 0.25 acre in NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 0.25 acre in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 3, Township 36 South, Range 1 West, W.M., from a point of diversion located 1390 feet North and 1825 feet East from the Southwest Corner of Section 3, being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 3.

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 November 30; December 7 and 14, 1977.

Mr. David C. Hendrix, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in place of use and 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 changes in place of use and point of diversion, as described herein, without loss of priority, are 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 0.01 cubic foot per second.

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 and said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to E. D. Warrick, F. N. Stevens and E. & M. Kunkel and recorded at page 38305, Volume 30, 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 27th day of January, 1978.

  
James E. Sexson  
Director