

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)	
OF DALE E. JUDD AND MILDRED M. JUDD)	
FOR APPROVAL OF A CHANGE IN)	ORDER APPROVING
POINT OF DIVERSION OF WATER)	TRANSFER 5244

On April 19, 1983, an application was filed in the office of the Water Resources Director by Dale E. Judd and Mildred M. Judd for approval of a change in point of diversion of water from Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 32548, Volume 24, State Record of Water Right Certificates, in the name of Lafe Judd, describes a right which includes the use of not to exceed 0.045 cubic foot per second from Umpqua River for irrigation of 3.6 acres in Lot 5 (NW 1/4 SW 1/4), Section 22, Township 25 South, Range 7 West, with a date of priority of May 28, 1963.

Water for the said right is diverted from a point located 2760 feet North and 500 feet West from the Southeast Corner of Section 21, being within Lot 1 (SE 1/4 NE 1/4) of Section 21, Township 25 South, Range 7 West, WM.

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 2160 feet North and 450 feet East from the Southwest Corner of Section 22, being within the NW 1/4 SW 1/4 of Section 22, Township 25 South, Range 7 West, WM.

Gary L. Ball, 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 0.045 cubic foot per second, and together with that diverted at the old point of diversion, 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 the certificate recorded at page 32548, Volume 24, 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 applicants herein.

Dated at Salem, Oregon this 10th day of June, 1983.


JAMES E. SEXSON
Director

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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