

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION OF )  
IVAN O. BUCKLE, ET AL FOR ) ORDER APPROVING  
APPROVAL OF A CHANGE IN POINT ) TRANSFER 5162  
OF DIVERSION OF WATER )

On November 22, 1982, an application was filed in the office of the Water Resources Director by Ivan O. Buckle, Eddie Pauline Buckle, Edwin R. Buckle and Gladys I. Buckle for 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.

The certificate recorded at page 53310, Volume 48, State Record of Water Right Certificates, in the name of Ada Harding, describes a right which includes the use of not to exceed 0.14 cubic foot per second from South Umpqua River, for irrigation of 7.8 acres in SW 1/4 NE 1/4, 0.6 acre in SE 1/4 NE 1/4 and 2.7 acres in SE 1/4 NW 1/4, Section 22, Township 28 South, Range 6 West, WM with a date of priority of May 24, 1922.

Water for the said right is diverted from a point located 2112 feet North and 1584 feet West from the Southeast Corner of Section 22, being within the NW 1/4 SE 1/4 of Section 22, Township 28 South, Range 6 West, WM.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom to a point located 2080 feet South and 1230 feet West from the Northeast Corner of Section 22, being within the SE 1/4 NE 1/4 of Section 22, Township 28 South, Range 6 West, WM. The change in point of diversion is reported to be completed.

Notice of the application, pursuant to ORS 540.520(2), was published in the News-Review, a newspaper having general circulation in the area in which the water right is located, for a period of three weeks in the issues of December 27, 1985, January 3 and 10, 1986.

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 proposed change in point of diversion is approved, without loss of priority.

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 0.14 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:

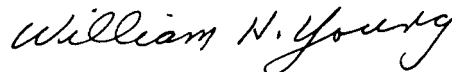
That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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.

The order of the Water Resources Director approving Transfer 5156 provided for cancellation of the certificate of water right recorded at page 53310, Volume 48, State Record of Water Right Certificates, therefore,

It is FURTHER ORDERED that 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 24th day of February, 1986.



WILLIAM H. YOUNG  
Director

NOTE: 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.

A party may file objections and exceptions to the Proposed Order with the Water Resources Commission. Such objections and exceptions must be filed within 45 days from the date of service (date of mailing) of the Proposed Order on the party. The Commission will provide opportunity for oral argument in support of written objections and exceptions. If no objections and exceptions are filed within the time allowed, the Proposed Order will automatically become the Final Order of the Commission.

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