

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Baker County

IN THE MATTER OF THE APPLICATION )  
OF LOUIS W. AND IRENE E. ROMIG FOR )  
THE APPROVAL OF A CHANGE IN POINT )  
OF DIVERSION OF WATER FROM SUTTON )  
CREEK )  
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ORDER AMENDING ORDER  
APPROVING TRANSFER NO. R-109

On December 18, 1968, an order approving transfer application No. R-109, in the name of Louis W. and Irene E. Romig, provided for a change in point of diversion for the entirety of the water right evidenced by the certificate recorded at Page 3370, Volume 4, State Record of Water Right Certificates, and also provided for the cancelation of the said certificate.

Information before the Water Resources Director makes it clear that the applicants, Louis W. and Irene E. Romig were not the owners of all of the real property to which the entirety of the water is appurtenant; and that the applicants were proposing to make of record a change in point of diversion, made in fact, for that portion of the subject water right appurtenant to lands owned by them.

The water right evidenced by the certificate recorded at Page 3370, Volume 4, State Record of Water Right Certificates, is for the appropriation of not to exceed 0.14 cubic foot per second of water from Sutton Creek with a date of priority of September 20, 1916, at a point of diversion located in the Northwest corner of NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 34, Township 9 South, Range 40 East, W.M., being within the said NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 34, for irrigation of 1.5 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 8.3 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  and 0.9 acre in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 21, Township 9 South, Range 40 East, W.M.

The extent of the said water right appurtenant to lands owned by the applicants, Louis W. and Irene E. Romig, is 1.8 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 21, Township 9 South, Range 40 East, W.M.

NOW, THEREFORE, it hereby is ORDERED that the December 18, 1968, order in the above entitled matter be, and the same hereby is amended to provide as follows:

NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from Sutton Creek, to wit:

From a point located in the Northwest corner of NW $\frac{1}{4}$  SE $\frac{1}{4}$ , being within the SE $\frac{1}{4}$  of Section 34, Township 9 South, Range 40 East, W.M.

To a point to be located 1180 feet South and 1440 feet West from the Southeast corner of NW $\frac{1}{4}$  SE $\frac{1}{4}$ , being within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 21, Township 9 South, Range 40 East, W.M.

for the irrigation of 1.8 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 21, Township 9 South, Range 40 East, W.M., with a date of priority of September 20, 1916, is approved.

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, 1969.

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 0.02 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.

Dated at Salem, Oregon this 23rd day of August, 1976.

JAMES E. SEXSON  
Director, By

*Chris L. Arhuler*