

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
JAMES IVY) ORDER APPROVING
FOR APPROVAL OF A CHANGE IN POINT OF) TRANSFER 6233
DIVERSION AND PLACE OF USE OF WATER)

An application was filed with the Water Resources Director by James Ivy for approval of changes in place of use and point of diversion of water from the Deschutes River, as provided by ORS 540.510 to 540.530.

Certificate 20784, State Record of Water Right Certificates, in the name of George W. Kanoff, describes a right limited to 0.025 cubic foot per second from the Deschutes River for irrigation of a certain 1.0 acre within the SW 1/4 NE 1/4 of Section 31, Township 16 South, Range 12 East, W.M. The date of priority is August 25, 1938.

Water for said right is diverted from a point located 2230 feet North and 1650 feet West from the southeast corner of Section 6, being within the NW 1/4 SE 1/4, Section 6, Township 17 South, Range 12 East, W.M.

The applicant proposes to transfer the water right therefrom to a certain 1.0 acre within the SE 1/4 NE 1/4, Section 31, Township 16 South, Range 12 East, W.M. and to change the point of diversion therefrom to a point located 1860 feet South and 1105 feet West from the northeast corner of Section 31, being within the SE 1/4 NE 1/4 Section 31, Township 16 South, Range 12 East, W.M.

No objections were filed and it appearing that the proposed change in place of use may be made without injury to existing rights, therefore the proposed changes should be approved.

NOW, THEREFORE, it is hereby ORDERED that the proposed changes in point of diversion and place of use are approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed 0.025 cubic foot per second and that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the original point of diversion under the subject right.

It is FURTHER ORDERED that 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 subject water right is hereby severed from the place of use and from the point of diversion described in Certificate 20784. Water shall be beneficially used from the new diversion point as authorized by this order on or before October 1, 1991.

It is FURTHER ORDERED that certificate 20784 is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding. 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.

Dated at Salem, Oregon this 5th day of October, 1989.



WILLIAM H. YOUNG
Director

NOTE: Approval of the 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.