

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION)
OF HARRY J. AND VIRGINIA R. SONNIER)
FOR THE APPROVAL OF A CHANGE IN)
POINT OF DIVERSION OF WATER FROM)
WEST FORK ILLINOIS RIVER)

ORDER APPROVING
TRANSFER NO. 2951

On December 28, 1973, Harry J. and Virginia R. Sonnier filed an application for transfer of water right in the office of the Water Resources Director proposing a change in point of diversion under an existing right of record to appropriate not to exceed 0.02 cubic foot per second of water from West Fork Illinois River, with a date of priority of 1876, at a point of diversion located 1670 feet South and 480 feet East from the Northwest corner of Section 25, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 40 South, Range 9 West, W.M., for irrigation of 0.1 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 0.9 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Township 40 South, Range 8 West, W.M., being that portion of the right evidenced by the certificate recorded at Page 13898, Volume 12, State Record of Water Right Certificates, modified by the order of the Water Resources Director issued January 17, 1969, in approval of transfer application No. O-57.

The applicants herein, owner of the lands above described, propose to irrigate these lands from a point of diversion located 1605 feet South and 400 feet East from the center corner of Section 19, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Township 40 South, Range 8 West, W.M.

Notice of the application, pursuant to ORS 540.510, was published in the Cave Junction Valley News, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of May 27, June 3 and 10, 1976.

Mr. Robert B. Steimer, Watermaster of District No. 14, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objection 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.

The proposed change in point of diversion having been made in fact, as determined in taking of proof of performance under the provisions of the order of the Water Resources Director approving transfer application No. O-57, no time need be allowed for completion of the change.

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of diversion is 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, and shall not exceed 0.02 cubic foot per second.

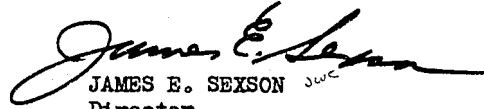
It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

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.

It is FURTHER ORDERED that the certificate of water right to be issued to Harry J. and Virginia R. Sonnier confirming the change in place of use authorized by the order of the Water Resources Director issued January 17, 1969, approving transfer application No. O-57 include the change in point of diversion allowed herein.

Dated at Salem, Oregon, this 7th day of September, 1976.


JAMES E. SEXSON ^{JWC}
Director