

BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION)
OF OLIN C. AND BETTY ALDRIDGE FOR)
THE APPROVAL OF A CHANGE IN POINT)
OF DIVERSION OF WATER FROM NORTH)
MYRTLE CREEK)

ORDER APPROVING
TRANSFER NO. A-50

On August 11, 1969, Olin C. and Betty Aldridge filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from North Myrtle Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to North Myrtle Irrigation Company and recorded at page 32386, Volume 24, State Record of Water Right Certificates, confirms a right to the use of not to exceed 1.73 cubic feet per second of water from North Myrtle Creek for the irrigation of, among other lands, 1.1 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 5.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, Township 29 South, Range 5 West, W.M., with a date of priority of September 25, 1920. These lands are irrigated from a point of diversion located 831 feet north and 30 feet west from the SW corner of H. Jones DLC No. 48 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Township 29 South, Range 5 West, W.M.

The applicants herein, owners of the lands above described, propose to irrigate these lands from a point of diversion to be located 1320 feet north and 1335 feet west from the SE corner of Section 22 being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 29 South, Range 5 West, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely: at the county courthouse in Roseburg, Oregon, on July

22, 1970, at 9:30 a.m. The notice was published in The News-Review, a newspaper printed and having general circulation in Douglas County, Oregon, for a period of three weeks in the issues of May 26, June 2 and 9, 1970. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. M. John Youngquist, Watermaster of District No. 15, has filed a report 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 of water from North Myrtle Creek, to-wit:

From a point located 831 feet north and 30 feet west from the SW corner of H. Jones-DLC No. 48 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Township 29 South, Range 5 West, W.M.

To a point to be located 1320 feet north and 1335 feet west from the SE corner of Section 22 being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 29 South, Range 5 West, W.M.

for the irrigation of 1.1 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 5.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, Township 29 South, Range 5 West, W.M., with a date of priority of September 25, 1920, 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, 1971.

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 0.076 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes

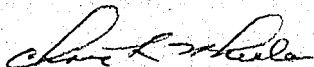
necessary to install headgates and measuring devices.

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 certificate of water right heretofore issued to North Myrtle Irrigation Company and recorded at page 32386, Volume 24, State Record of Water Right Certificates, is canceled and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Olin C. and Betty Aldridge confirming the change in point of diversion.

Dated at Salem, Oregon, this 31st day of August, 1970.


CHRIS L. WHEELER
State Engineer