

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION )  
OF JAMES M. BURKE FOR THE APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM UMPQUA RIVER )  
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ORDER APPROVING  
TRANSFER NO. 3443

On August 11, 1976, James M. Burke 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 0.038 cubic foot per second of water from Umpqua River with a date of priority of March 12, 1951, at a point of diversion located 1630 feet North and 820 feet West from the Southeast corner of Section 20, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 20, Township 23 South, Range 7 West, W.M., for the irrigation of 3.0 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 20, Township 23 South, Range 7 West, W.M., being a portion of the right evidenced by the certificate recorded at Page 40356, Volume 32, State Record of Water Right Certificates.

The applicant herein, proposes to irrigate the above lands from a point of diversion to be located 1215 feet South and 2270 feet East from the center of Section 20, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 20, Township 23 South, Range 7 West, W.M.

Mr. M. John Youngquist, Watermaster of District No. 15, 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.

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of diversion 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, 1977.

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 0.038 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 head-gates and measuring devices.

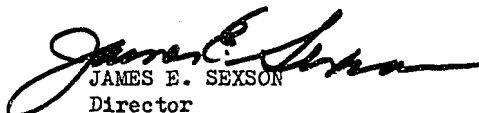
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

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.

On December 5, 1975, an order was entered by the Water Resources Director approving transfer application No. 3180 for a change in point of diversion for part of the right evidenced by the certificate recorded at Page 40356, Volume 32, State Record of Water Right Certificates, and providing for cancelation of the said certificate and issuance of a new certificate describing the balance of the right not involved in the change.

It is FURTHER ORDERED that the part of the right involved in the change authorized herein not be included in the new certificate to be issued as provided by the order of December 5, 1975, and upon receipt of proof satisfactory to the Water Resources Director of completion of the change in point of diversion authorized herein, a certificate shall be issued to James M. Burke confirming the change in point of diversion.

Dated at Salem, Oregon, this 14th day of September, 1976.

  
JAMES E. SEXSON  
Director