

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF WILLIAM H. HUTTON FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER)

ORDER APPROVING
TRANSFER NO. 4604

On September 18, 1980, an application was filed in the office of the Water Resources Director by William H. Hutton for approval of a change in point of diversion of water from Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 29481, Volume 21, State Record of Water Right Certificates, in the name of John J. Thennes, describes a right which includes the use of not to exceed 0.01 cubic foot per second from Umpqua River for irrigation of a certain 0.07 acre in NE 1/4 SW 1/4 and 0.80 acre in SE 1/4 SW 1/4, Section 9, Township 25 South, Range 7 West, W.M., with a date of priority of August 13, 1954.

Water for the said right is diverted from a point located 1380 feet South and 1020 feet East from the West Quarter Corner of Section 9, being within the SW 1/4 SW 1/4 of Section 9, Township 25 South, Range 7 West, W.M.

The applicant herein, contract buyer of the lands above described, proposes to change the point of diversion of water therefrom, without loss of priority, to a point located 1060 feet North and 1980 feet East from the Southwest Corner of Section 9, being within the SE 1/4 SW 1/4, Section 9, Township 25 South, Range 7 West, W.M.

Mr. M. John Youngquist, Watermaster, has filed a statement 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 requested change in point of diversion, as described herein, without loss of priority, 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 under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment 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 construction work shall be completed and the change in point of diversion of water made on or before October 1, 1982.

It is FURTHER ORDERED that the certificate recorded at page 29481, Volume 21, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and 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 to the applicant herein.

Dated at Salem, Oregon this 28th day of October, 1980.

JAMES E. SEXSON
Director


by Chris L. Wheeler, ¹⁹⁸⁰
Deputy Director