

BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION )  
OF GEORGE F. PURCELL AND GLORIA )  
M. PURCELL FOR THE APPROVAL OF A )  
CHANGE IN POINT OF DIVERSION OF )  
WATER FROM UMPQUA RIVER )

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ORDER APPROVING  
TRANSFER NO. 2893

On August 29, 1973, George F. Purcell and Gloria M. Purcell filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to P. W. George and recorded at page 22196, Volume 16, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.66 cubic foot per second of water from Umpqua River for the irrigation of, among other lands, 0.06 acre in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 21 and 2.4 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 28, Township 23 South, Range 7 West, W.M., with a date of priority of March 12, 1951. These lands are irrigated from a point of diversion located 250 feet North and 1160 feet East from the Southwest corner of Section 21, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 21, Township 23 South, Range 7 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 90 feet North and 1310 feet East from the Southwest corner of Section 21, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 21, Township 23 South, Range 7 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said Section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions.

Mr. M. John Youngquist, Watermaster of District No. 15, has filed a report to the effect that the proposed change in point of diversion of water 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 change in point of diversion of water from Umpqua River, to wit:

From a point located 250 feet North and 1160 feet East from the Southwest corner of Section 21, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 21, Township 23 South, Range 7 West, W.M.

To a point to be located 90 feet North and 1310 feet East from the Southwest corner of Section 21, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 21, Township 23 South, Range 7 West, W.M.

for the irrigation of 0.06 acre in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 21, and 2.4 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 28, Township 23 South, Range 7 West, W.M., with a date of priority of March 12, 1951, 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, 1974.

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 0.04 cubic foot per second.

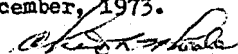
It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

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 F. W. George and recorded at page 22196, Volume 16, 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 George F. and Gloria M. Purcell confirming the change in point of diversion.

Dated at Salem, Oregon, this 20th day of December, 1973.

  
CHRIS L. WHEELER  
State Engineer