

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

LANE COUNTY

IN THE MATTER OF THE APPLICATION)
OF LAWRENCE N. AND MARY L. KEZAR)
FOR APPROVAL OF A CHANGE IN POINT)
OF DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4554

On July 2, 1980, an application was filed in the office of the Water Resources Director by Lawrence N. and Mary L. Kezar for approval of a change in point of diversion of water from an unnamed stream, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 37223, Volume 29, State Record of Water Right Certificates, in the names of Lawrence E. Dahlin and Kenneth C. Smith, describes a right which includes the use of not to exceed 0.005 cubic foot per second from an unnamed stream, tributary of Siuslaw River, for domestic use in Lot 6 (SW 1/4 SE 1/4), Section 23, Township 17 South, Range 10 West, W.M., with a date of priority of May 25, 1964.

Water for the said right is diverted from a point located 2180 feet South and 3690 feet East from the West Quarter Corner of Section 23, being within Lot 6 (SW 1/4 SE 1/4) of Section 23, Township 17 South, Range 10 West, W.M.

The applicants herein, owners of the lands above described, propose to change the point of diversion, without loss of priority, to a point located 300 feet North and 1630 feet West from the Southeast Corner of Section 23, being within the SW 1/4 SE 1/4 of Section 23, Township 17 South, Range 10 West, W.M.

Mr. L. Gene McGinnis, 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:

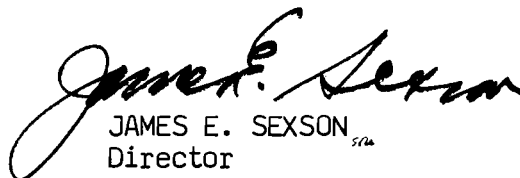
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, 1981.

It is FURTHER ORDERED that the certificate recorded at page 37223, Volume 29, 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 applicants herein.

Dated at Salem, Oregon this 25th day of July, 1980.


JAMES E. SEXSON
Director