

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION OF)
ROSEBURG LUMBER COMPANY FOR APPROVAL)
OF CHANGES IN POINT OF DIVERSION AND)
USE HERETOFORE MADE OF WATER)

ORDER APPROVING
TRANSFER NO. 3844

On November 30, 1977, an application was filed in the office of the Water Resources Director by Roseburg Lumber Company for approval of changes in point of diversion and use heretofore made of water from South Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 35623, Volume 27, State Record of Water Right Certificates, in the name of Paul B. Hult Lumber Company, describes a right for the use of not to exceed 0.19 cubic foot per second from South Umpqua River for irrigation of 4.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 7.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, Township 28 South, Range 6 West, W.M., with a date of priority of March 9, 1960.

Water for the said right is diverted from a point located 510 feet South and 490 feet West from the Center Corner of Section 29, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 29.

The applicant herein, owner of the lands above described, proposes to change the point of diversion and the use heretofore made and, without loss of priority, to hereafter use the water appropriated for the purpose of wood products manufacturing, including log storage, within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 29, from a proposed point of diversion located 750 feet South and 130 feet West from the Center Corner of Section 29, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 29.

Notice of the application, pursuant to ORS 540.510, was published in the Roseburg News-Review, a newspaper printed and having general circulation in Douglas County, Oregon, for a period of three weeks in the issues of February 8, 15 and 22, 1978.

Mr. M. John Youngquist, Watermaster, has filed a statement to the effect that the proposed changes in point of diversion and use heretofore made of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in point of diversion and use heretofore made of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested changes in point of diversion and use heretofore made of water, as described herein, without loss of priority, are 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, and shall not exceed 0.19 cubic foot per second; and shall be further limited to a diversion of not to exceed 37.75 acre feet, during the irrigation season of each year; provided further that the right to the use of water is limited to the period when the flow in the South Umpqua River at the confluence with the North Umpqua River is more than 60 cubic feet per second.

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:

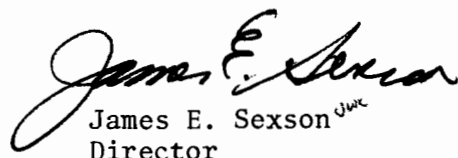
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 and said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Paul B. Hult Lumber Company and recorded at page 35623, Volume 27, State Record of Water Right Certificates, is canceled, 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 30th day of March, 1978.


James E. Sexson ^{Dir}
Director