

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION OF)
STATE OF OREGON-BOARD OF FORESTRY)
FOR APPROVAL OF A CHANGE IN POINT)
OF DIVERSION OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 3829

On October 19, 1977, an application was filed in the office of the Water Resources Director by State of Oregon-Board of Forestry for approval of an additional point of diversion from Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 41916, Volume 33, State Record of Water Right Certificates, in the name of Oregon State Board of Forestry, describes a right for the use of not to exceed 0.99 cubic foot per second from Umpqua River for irrigation of 2.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 34.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 2.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1; 1.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 24.7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2; 1.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11 and 13.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, all as projected within Bay D.L.C. No. 38, Township 23 South, Range 8 West, W.M., with a date of priority of May 9, 1957.

Water for said right is diverted from two points located: (1) 250 feet South and 470 feet West, and (2) 440 feet South and 40 feet West, both from the Northeast Corner of Section 11, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Bay D.L.C. No. 38, Section 11, Township 23 South, Range 8 West, W.M.

The applicant herein, owner of the lands above described, proposes to establish an additional point of diversion, without loss of priority, at a point located 324.45 feet North and 2164.25 feet West from the Southeast Corner of Section 2, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Bay D.L.C. No. 38, Section 2, Township 23 South, Range 8 West, W.M.

Notice of the application, pursuant to ORS 540.510, was published in The News-Review, a newspaper printed and having general circulation in Douglas County, Oregon, for a period of three weeks in the issues of February 21 and 28; and March 7, 1978.

Mr. M. John Youngquist, Watermaster, has filed a statement to the effect that the proposed additional point of diversion may be established without injury to existing rights.

No objections having been filed and it appearing that the proposed additional point of diversion may be established without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested additional 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, together with that diverted at the old points of diversion, shall not exceed the quantity of water available at the old points of diversion under the subject right, and shall not exceed 0.99 cubic foot 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:

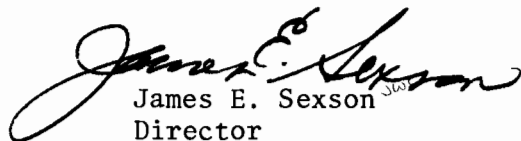
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 on or before October 1, 1979.

It is FURTHER ORDERED that the said certificate of water right recorded at page 41916, Volume 33, 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 13th day of April, 1978.


James E. Sexson
Director