

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BAKER COUNTY

IN THE MATTER OF THE APPLICATION)
OF DALE D. HOLCOMB FOR APPROVAL)
OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4323

On November 5, 1979, an application was filed in the office of the Water Resources Director by Dale D. Holcomb for approval of a change in point of diversion from waste water from Eagle Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 11033, Volume 10, State Record of Water Right Certificates, in the name of World War Veteran's State Aid Commission, describes a right for the use of not to exceed 0.5 cubic foot per second from waste water from Eagle Creek for irrigation of a certain 20.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 6.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 9 South, Range 45 East, W. M., with a date of priority of July 12, 1933.

Water for the said right is diverted from a point located 1400 feet South and 1300 feet East from the North Quarter Corner of Section 10, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 9 South, Range 45 East, W. M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom without loss of priority to a point located 1400 feet South and 110 feet West from the N $\frac{1}{4}$ Corner of Section 10, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 9 South, Range 45 East, W. M.

Mr. V. Kent Searles, 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 NO time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that the certificate recorded at page 11033, Volume 10, 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 27th day of November, 1979.



James E. Sexson
Director

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