

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF WILBER G. & MYRA P. BICKMORE)
FOR APPROVAL OF CHANGES IN POINTS)
OF DIVERSION OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 2579

On August 1, 1972, an application was filed in the office of the Water Resources Director by Wilber G. and Myra P. Bickmore for approval of changes in points of diversion from East Fork Illinois River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 36485, Volume 28, State Record of Water Right Certificates, in the name of W. O. Kohler, describes a right which includes the use of not to exceed 0.044 cubic foot per second from East Fork Illinois River for irrigation of a certain 2.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, Township 40 South, Range 8 West, W.M., with a date of priority of 1907.

The certificate recorded at page 36486, Volume 28, of said records, in the name of C. C. Babcock, describes a right which includes the use of not to exceed 0.08 cubic foot per second from East Fork Illinois River for irrigation of a certain 6.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 2, with a priority date of January 30, 1920.

The certificate recorded at page 28334, Volume 20, of said records, in the name of B. F. and Mary R. Randolph, describes a right for the use of not to exceed 0.04 cubic foot per second from East Fork Illinois River for irrigation of a certain 2.8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 2, with a date of priority of May 10, 1954.

The authorized point of diversion for said rights described in said certificates recorded at pages 36485 and 36486 is located 10 feet North and 1320 feet East from the West Quarter Corner of Section 14, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 40 South, Range 8 West, W.M.; and the authorized point of diversion for said right described in said certificate recorded at page 28334 is located 530 feet North and 1500 feet East from the Southwest Corner of Section 2, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, Township 40 South, Range 8 West, W.M.

The applicants herein, owners of the lands above described, propose to change the points of diversion therefrom, without loss of priority, to one point

located 1450 feet North and 950 feet East from the Southwest Corner of Section 2, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, Township 40 South, Range 8 West, W.M.

Notice of the application, pursuant to ORS 540.510, was published in the Illinois Valley News, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of June 8, 15 and 22, 1972.

Mr. Robert B. Steimer, Watermaster, has filed a statement to the effect that the proposed changes in points of diversion may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested changes in points of diversion 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 points of diversion under the subject rights, and shall not exceed 0.164 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;

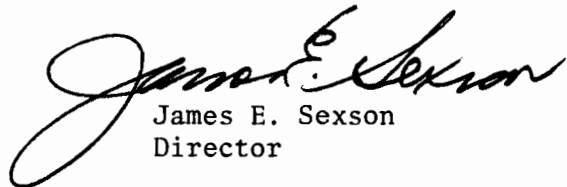
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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 certificates of water right recorded at pages 36485 and 36486, Volume 28, and at page 28334, Volume 20, State Record of Water Right Certificates, are canceled; and in lieu thereof new certificates be issued covering the balance of the rights 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, confirming certificates of water right shall be issued to the applicants herein.

Dated at Salem, Oregon, this 24th day of April, 1978.


James E. Sexson
Director