

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION OF)
WEBB BRIGGS LAND COMPANY FOR)
APPROVAL OF CHANGES IN USE)
HERETOFORE MADE, PLACE OF USE)
AND POINT OF DIVERSION OF WATER)

ORDER APPROVING
TRANSFER 4941

On November 24, 1981, an application was filed in the office of the Water Resources Director by Webb Briggs Land Company for approval of changes in use heretofore made, place of use and point of diversion of water from South Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 24129, Volume 17, State Record of Water Right Certificates, in the names of Glenn N. and Agnes A. Riddle, describes a right for the use of not to exceed 0.125 cubic foot per second from South Umpqua River, for irrigation of 1.6 acres in SW 1/4 SW 1/4 and 8.4 acres in SE 1/4 SW 1/4, Section 7, Township 30 South, Range 5 West, WM, with a date of priority of March 13, 1952.

Water for the said right is diverted from a point located 650 feet South and 290 feet East from the Northwest Corner of DLC 42, being within the SW 1/4 SW 1/4 of Section 7, Township 30 South, Range 5 West, WM.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to change the use heretofore made to municipal use in SW 1/4, Section 28; E 1/2 SE 1/4, Section 32; Section 33; W 1/2 NW 1/4, Section 34, Township 29 South, Range 5 West, WM; NE 1/4 NW 1/4, NW 1/4 NW 1/4, SW 1/4 NW 1/4, Section 4; NE 1/4, SE 1/4 NW 1/4, SW 1/4, N 1/2 SE 1/4, Section 5; E 1/2 SE 1/4, SW 1/4 SE 1/4, Section 6; Section 7; W 1/2, Section 8; N 1/2 NE 1/4, Section 18, Township 30 South, Range 5 West, WM, from a point of diversion located 3,250 feet North and 620 feet East from the Southwest Corner of Section 5, being within the SW 1/4 NW 1/4, Section 5, Township 30 South, Range 5 West, WM (Tri-City Water District).

Notice of the application, pursuant to ORS 540.520(2), was published in the News-Review, a newspaper printed and having general circulation in Douglas County, Oregon, for a period of three weeks to the issues of December 2, 9 and 16, 1981.

Gary L. Ball, Watermaster, has filed a statement to the effect that the proposed changes in use heretofore made, place of use and point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in use heretofore made, place of use and 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 changes in use heretofore made, place of use and point 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 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;

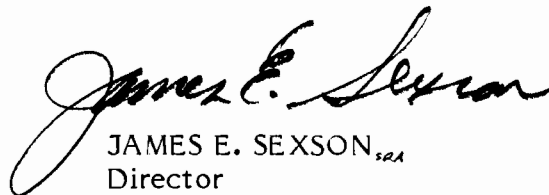
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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, 1983.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1983.

It is FURTHER ORDERED that the certificate recorded at page 24129, Volume 17, 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 Tri-Cities Water District.

Dated at Salem, Oregon this 21st day of January, 1982.


JAMES E. SEXSON, 521
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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