

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION OF )  
MURPHY ELECTRIC IRRIGATION, INC., )  
FOR APPROVAL OF AN ADDITIONAL )  
POINT OF DIVERSION OF WATER )  
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ORDER APPROVING  
TRANSFER 4729

On April 2, 1981, an application was filed in the office of the Water Resources Director by Murphy Electric Irrigation, Incorporated, for approval of an additional point of diversion of water from Applegate River, pursuant to the provisions of ORS 540.510 to 540.530.

The affected water rights are described by Certificates 16231, 16236, 16239, 16241, 19726, 19877, 27400, 29922, 29923, 32807, 32834, 32835, 32887, 32893, 32896, 32897, 32902, 32905, and 46878 and are for the use of water from Applegate River under various priority dates for irrigation of 219.15 acres within the service area of Murphy Electric Irrigation, Incorporated.

The authorized point of diversion is located 1,550 feet South and 2,200 Feet East from the Northwest Corner of Section 21, being within the SE 1/4 NW 1/4, Section 21, Township 37 South, Range 5 West, WM (Murphy Electric Irrigation, Incorporated, Ditch).

The applicant proposes to add an additional point of diversion at a point located 1,250 feet North and 150 feet East from the Southwest Corner of Section 6, being within the SW 1/4 SW 1/4, Section 6, Township 38 South, Range 4 West, WM (Northside Ditch).

Notice of the application, pursuant to ORS 540.520(2), was published in the Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of April 13, 20 and 27, 1981.

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

No objections having been filed and it appearing that the proposed additional 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 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 point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right.

It is FURTHERED ORDERED that the following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

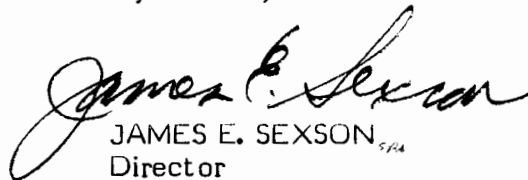
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, 1982.

It is FURTHER ORDERED that 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, the aforesaid certificates shall be canceled, and certificates of water right shall be issued confirming the additional point of diversion.

Dated at Salem, Oregon this 17th day of June, 1981.

  
JAMES E. SEXSON <sup>SP4</sup>  
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.