

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION )  
OF GERALD C. PARSONS FOR APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM ROGUE RIVER )  
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ORDER APPROVING  
TRANSFER NO. 4266

On July 31, 1979, an application was filed in the office of the Water Resources Director by Gerald C. Parsons for approval of a change in point of diversion of water from Rogue River, pursuant to the provisions of ORS 540.510 to 540.530.

The affected water right is described by the certificate recorded at page 32718, Volume 24, State Record of Water Right Certificates, in the name of Audry Z. Parsons, as modified by Special Orders of the State Engineer dated January 3, 1973 and April 19, 1974, approving changes in place of use and point of diversion, and is for the use of not to exceed 1.03 cubic feet per second from Rogue River, under a priority date of 1892, for irrigation of a certain 3.5 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 15.6 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8; and 8.6 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  and 13.3 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 9, Township 35 South, Range 1 West, W.M.

The authorized point of diversion is located 380 feet South and 880 feet West from the East Quarter Corner of Section 8, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 8, Township 35 South, Range 1 West, W.M.

The applicant proposes to change the point of diversion therefrom to a point located 700 feet North and 260 feet West from the Southwest Corner of Section 9, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 8, Township 35 South, Range 1 West, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Mail Tribune, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of November 12, 19 and 26, 1979.

Mr. David C. Hendrix, 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:

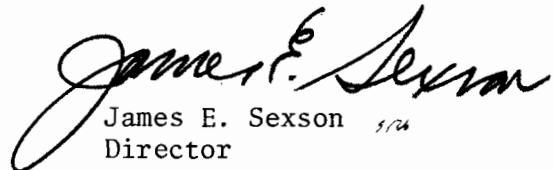
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1981.

It is FURTHER ORDERED that the certificate recorded at page 32718, Volume 24, 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 3rd day of January, 1980.

  
James E. Sexson  
Director