

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION )  
OF RUSSELL H. HAS FOR APPROVAL OF)  
CHANGES IN PLACE OF USE AND POINT)  
OF DIVERSION OF WATER )  
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ORDER APPROVING  
TRANSFER NO. 3121

*Right Lost V 36, p 289*

On August 22, 1974, an application was filed in the office of the Water Resources Director by Russell H. Has for approval of changes in place of use and point of diversion from Mays Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 19597, Volume 14, State Record of Water Right Certificates, in the name of David S. Blair, describes a right which includes the use of not to exceed 0.02 cubic foot per second from Mays Creek for irrigation of a certain 1.5 acres West of Mays Creek in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 32, Township 34 South, Range 3 West, W.M., with a date of priority of March 6, 1947.

The authorized point of diversion of record for said right is located 35 feet North and 1675 feet East from the West Quarter Corner of Section 32, being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 32, Township 34 South, Range 3 West, W.M.

The applicant herein proposes to change the place of use and point of diversion therefrom and, without loss of priority, to irrigate in lieu thereof a certain 1.5 acres East of Mays Creek in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 32, Township 34 South, Range 3 West, W.M., from a point of diversion located 1630 feet North and 520 feet West from the South Quarter Corner of said Section 32, being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 32.

Mr. David C. Hendrix, Watermaster, has filed a statement to the effect that the proposed changes in 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 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 place of use and point of diversion 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, and shall not exceed 0.02 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:

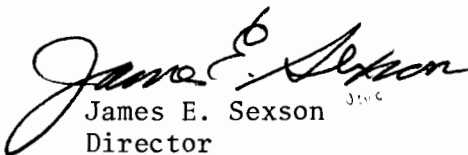
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 NO time need be fixed for completion as the changes in place of use and point of diversion are completed.

It is FURTHER ORDERED that the certificate of water right recorded at page 19597, Volume 14, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right 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, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 20th day of July, 1978.

  
James E. Sexson  
Director