

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BENTON COUNTY

IN THE MATTER OF THE APPLICATION )  
OF GEORGE F. STOVALL FOR APPROVAL )  
OF ADDITIONAL POINTS OF DIVERSION )  
OF WATER )  
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ORDER APPROVING  
TRANSFER NO. 4584

On August 15, 1980, an application was filed in the office of the Water Resources Director by George F. Stovall for approval of additional points of diversion of water from Maxfield Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 12510, Volume 11, State Record of Water Right Certificates, in the name of Travelers Insurance Company, describes a right for the use of not to exceed 0.262 cubic foot per second from Maxfield Creek for irrigation of a certain 21.0 acres in SW 1/4 SW 1/4, Section 16, Township 10 South, Range 6 West, W.M., being within Rowland Chambers DLC No. 46, with a date of priority of February 26, 1936.

The certificate recorded at page 12511, Volume 11, State Record of Water Right Certificates, in the name of Travelers Insurance Company, describes a right for the use of not to exceed 0.538 cubic foot per second from Maxfield Creek for irrigation of a certain 2.4 acres in NE 1/4 SW 1/4, 27.7 acres in NW 1/4 SW 1/4, 8.6 acres in SW 1/4 SW 1/4, 3.0 acres in SE 1/4 SW 1/4, Section 16 and 1.3 acres in SE 1/4 SE 1/4, Section 17, Township 10 South, Range 6 West, W.M. being within Rowland Chambers DLC No. 46, with a date of priority of October 26, 1937.

Water for the said right is diverted from points located 1) 100 feet South and 1910 feet East and 2) 50 feet North and 1540 feet East from the Southwest Corner of Section 16, being within 1) the NE 1/4 NW 1/4 of Section 21, and 2) SE 1/4 SW 1/4 of Section 16, Township 10 South, Range 6 West, W.M.

The applicant herein, owner of the lands above described, proposes to divert water from aforesaid point No. 1 and from two additional points of diversion located 3) 250 feet North and 1250 feet East and 4) 600 feet North and 920 feet East from the Southwest Corner of Section 16, both being within SW 1/4 SW 1/4, Section 16, Township 10 South, Range 6 West, W.M.

Mr. Michael F. Ladd, Watermaster, has filed a statement to the effect that the proposed additional points of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed additional 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 additional 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 points of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the old points 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:

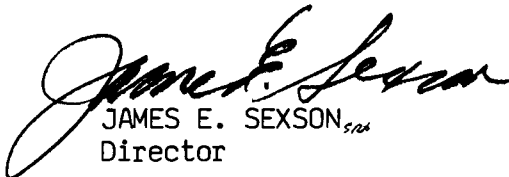
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 NO time need be fixed for completion as the additional points of diversion are completed.

It is FURTHER ORDERED that the certificates recorded at pages 12510 and 12511, Volume 11, State Record of Water Right Certificates, are 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 8th day of September, 1980.

  
JAMES E. SEXSON<sup>5726</sup>  
Director