

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

LANE COUNTY

IN THE MATTER OF THE APPLICATION )  
OF DANIEL HAYMAN FOR APPROVAL OF )  
A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM AN UNNAMED SPRING )  
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ORDER APPROVING  
TRANSFER NO. 4342

On December 4, 1979, an application was filed in the office of the Water Resources Director by Daniel Hayman for approval of a change in point of diversion of water from an unnamed spring, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 23465, Volume 17, State Record of Water Right Certificates, in the name of Edwin J. Lyons, describes a right for the use of not to exceed 0.03 cubic foot per second from an unnamed spring for domestic use in a trailer court within Lot 1 (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 16, Township 18 South, Range 11 West, W.M., with a date of priority of June 13, 1956.

Water for the said right is diverted from a point located 900 feet North and 75 feet West from the East Quarter Corner of Section 16, being within the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 16, Township 18 South, Range 11 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion, without loss of priority, to a point located 1386 feet North and 1263 feet West from the East Quarter Corner of Section 16, being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 16, Township 18 South, Range 11 West, W.M.

Mr. L. Gene McGinnis, 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:

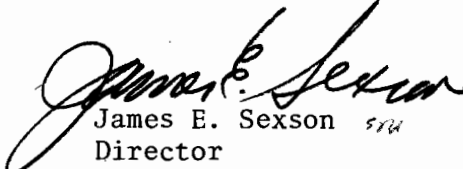
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 NO time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that the certificate recorded at page 24365, 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 the applicant herein.

Dated at Salem, Oregon this 28th day of January, 1980.

  
James E. Sexson 574  
Director