

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF JOHN W. & STELLS M. LEIGHT FOR)
APPROVAL OF AN ADDITIONAL POINT)
OF DIVERSION OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 4168

On March 5, 1979, an application was filed in the office of the Water Resources Director by John W. and Stella M. Leight for approval of an additional point of diversion of water from North Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 47058, Volume 40, State Record of Water Right Certificates, in the name of G. H. Harrell, describes a right which includes the use of not to exceed 0.01 cubic foot per second from North Umpqua River for irrigation of a certain 0.44 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 0.25 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14 and 0.08 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 26 South, Range 6 West, W.M., with a date of priority of May 13, 1963.

Water for the said right is diverted from a point located 2550 feet South and 2620 feet West from the East Quarter Corner of Section 14, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 26 South, Range 6 West, W.M.

The applicants herein, owners of the lands above described, propose to establish an additional point of diversion, without loss of priority, at a point located 2720 feet South and 275 feet West from the East Quarter Corner of Section 14, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 26 South, Range 6 West, W.M.

Mr. M. John Youngquist, Watermaster, has filed a statement to the effect that the proposed additional point of diversion may be established without injury to existing rights.

No objections having been filed and it appearing that the proposed additional point of diversion may be established 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

12/1/79

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:

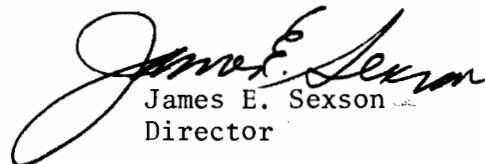
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 additional point of diversion of water established on or before October 1, 1980.

It is FURTHER ORDERED that the certificate of water right recorded at page 47058, Volume 40, 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 applicants herein.

Dated at Salem, Oregon this 14th day of March, 1979.


James E. Sexson
Director