

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION )  
OF MARY CAMPBELL MYERS FOR AP- )  
PROVAL OF CHANGES IN PLACE OF USE )  
AND POINT OF DIVERSION OF WATER )  
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ORDER APPROVING  
TRANSFER 5179

On December 22, 1982, an application was filed in the office of the Water Resources Director by Mary Campbell Myers for approval of changes in place of use and point of diversion of water from South Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 11782, Volume 11, State Record of Water Right Certificates, in the names of George S. and Temperance Campbell, describes a right which includes the use of not to exceed 0.16 cubic foot per second from South Umpqua River, for irrigation of a certain 12.5 acres in NW 1/4 NE 1/4, Section 2, Township 28 South, Range 6 West, WM, with a date of priority of February 9, 1929.

Water for the said right is diverted from a point located 1150 feet South and 2240 feet West from the Northeast Corner of Section 2, being within the NW 1/4 NE 1/4 of Section 2, Township 28 South, Range 6 West, WM.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom to a certain 0.8 acre in NW 1/4 SW 1/4, 7.5 acres in SW 1/4 SW 1/4, Section 36; 2.9 acres in SE 1/4 SE 1/4, Section 35, Township 27 South, Range 6 West, WM; and 1.3 acres in NE 1/4 NE 1/4, Section 2, Township 28 South, Range 6 West, WM; and to change the point of diversion therefrom, without loss of priority, to a point located 100 feet North and 380 feet West from the Northeast Corner of Section 2, being within the SW 1/4 SW 1/4 of Section 36, Township 27 South, Range 6 West, WM.

Notice of the application, pursuant to ORS 540.520(2), was published in the News-Review, a newspaper printed and having general circulation in Douglas County, Oregon, for a period of three weeks in the issues of January 3, 10 and 17, 1983.

Gary L. Ball, 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, as described herein, without loss of priority, are approved, WITH THE FOLLOWING CONDITIONS.

The quantity of water diverted at the new point of diversion shall not exceed 0.16 cubic foot per second, and 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 subject right.

The following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

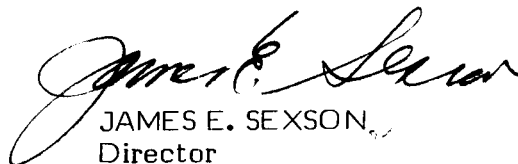
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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.

The construction work shall be completed and water used from the proposed point of diversion on or before October 1, 1984.

It is FURTHER ORDERED that the certificate recorded at page 11782, Volume 11, 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 2nd day of March, 1983.

  
JAMES E. SEXSON,  
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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