BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION OF SOUTH UMPQUA INVESTMENTS FOR APPROVAL OF CHANGES IN POINT OF DIVERSION AND USE HERETOFORE MADE OF WATER FROM SOUTH UMPQUA RIVER	ORDER APPROVING TRANSFER NO. 3558

On February 28, 1977, an application was filed in the office of the Water Resources Director by South Umpqua Investments for changes in point of diversion and use heretofore made under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

The certificates recorded at page 20438, Volume 15, State Record of Water Right Certificates, in the name of Frederick W. Hoffmeister, describes a right which includes the use of not to exceed 0.20 cubic foot per second from South Umpqua River for irrigation of 3.6 acres in NE¼ NE¼ and 12.4 acres in NW¼ NE¼ of Section 16, Township 28 South, Range 6 West, W.M., with a date of priority of February 17, 1949.

Water for the said right is diverted from a point within the NE¼ NE¼ of said Section 16.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the point of diversion and the use heretofore made, and to hereafter use not to exceed 0.05 cubic foot per second for general sawmill use at the Herbert Lumber Company mill within SE¼ SW¼ of Section 12; and use not to exceed 0.15 cubic foot per second for general sawmill use at the C & D Lumber Company mill within S½ SE¼ of Section 12, and NW¼ NE¼ and NE¼ NW¼ of Section 13, Township 30 South, Range 6 West, W.M.; and to divert the water for said use from a point located 1160 feet North and 340 feet West from the Southeast corner of Section 12, being within the SE¼ SE¼ of Section 12, Township 30 South, Range 6 West, W.M.

Notice of the application, pursuant to ORS 540.510, was published in the Myrtle Creek Mail, a newspaper printed and having general circulation in Douglas County, Oregon, for a period of three weeks in the issues of May 5, 12 and 19, 1977.

Mr. M. John Youngquist, Watermaster, has filed a statement to the effect that the proposed changes in point of diversion and use heretofore made may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in point of diversion and use heretofore made may be made without injury to existing right, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested changes in point of diversion and in use heretofore made, as described herein, from irrigation to general mill use within the irrigation season of each year, 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 0.20 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement 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 suitalbe 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 change in point of diversion of water made and said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Frederick W. Hoffmeister and recorded at page 20438, Volume 15, 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 saitsfactory 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 3rd day of August, 1977.

James E. Sexson
Director