BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION)
OF CLAIR G. WHELCHEL FOR THE)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM SOUTH)
UMPQUA RIVER)
- - - - - - - - - - - - - - - - - -

ORDER APPROVING
TRANSFER NO. W-110

On October 7, 1964, Clair G. Whelchel of Roseburg, Oregon, filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from South Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Clair G. Whelchel and recorded at page 22222, Volume 16, State Record of Water Right Certificates, confirms a right to the use of the waters of South Umpqua River for the irrigation of 0.72 acre in Lot 8 (SE¼ SW¼), Section 14, Township 27 South, Range 6 West, W.M., with a date of priority of May 23, 1952. This land is irrigated by means of a pumping plant, the point of diversion of said pumping plant being located at the northeast corner of Lot 5, Steward Meadows, and being within Lot 8 (SE¼ SW¼), Section 14, Township 27 South, Range 6 West, W.M.

The applicant herein, owner of the land above described, proposes to continue the use of the present point of diversion and also irrigate said land by means of a pumping plant to be located at the northeast corner of Lot 6, Stewart Meadows, and being within Lot 8 (SE¼ SW¼), Section 14, Township 27 South, Range 6 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions.

Mr. C. O. Bartels, Watermaster of District No. 15, has filed a report 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 applicant may maintain a pumping plant, in addition to the present point of diversion, the point of diversion of said new pumping plant to be located as follows:

> At the northeast corner of Lot 6, Stewart Meadows, and being within Lot 8 (SE¼ SW¼), Section 14, Township 27 South, Range 6 West, W.M.

for the irrigation of 0.72 acre in Lot 8 (SE¼ SW¼), Section 14, Township 27 South, Range 6 West, W.M., with a date of priority of May 23, 1952.

It is FURTHER ORDERED that all works necessary to the authorized additional point of diversion shall be completed on or before October 1, 1965.

It is FURTHER ORDERED that the quantity of water diverted at both the old and the new points of diversion shall not exceed the quantity of water that is available at the old point of diversion.

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 a weir or other suitable device for measuring the water to which the applicant is entitled.
>
> That the plans of the weir or other suitable 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 certificate of water right heretofore issued to Clair G. Whelchel and recorded at page 22222, Volume 16, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Clair G. Whelchel confirming said change in point of diversion.

Dated at Salem, Oregon, this 18th day of December, 1964.

CHRIS L. WHEELER
State Engineer