

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION OF)
DONALD R. GUILLEY AND MARJORIE)
McGAUGHEY FOR THE APPROVAL OF A)
CHANGE IN POINT OF DIVERSION OF)
WATER FROM NORTH UMPQUA RIVER)

ORDER APPROVING
TRANSFER NO. 3300

On August 21, 1975, Donald R. Guiley and Marjorie McGaughey filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from North Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Dale Guiley and recorded at Page 13780, Volume 12, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.125 cubic foot per second of water from North Umpqua River for the irrigation of, among other lands, 5.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 26 South, Range 6 West, W.M., with a date of priority of May 12, 1939. These lands are irrigated from a point of diversion located 1576 feet North and 1646 feet East from the West quarter-corner of Section 33, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 26 South, Range 6 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 1180 feet South and 1150 feet East from the Northwest corner of Section 33, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 26 South, Range 6 West, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed

change in point of diversion of water, if any there were, namely: at the county courthouse in Roseburg, Oregon, on February 11, 1976, at 1:30 p.m. The notice was published in the Roseburg News-Review, a newspaper printed and having general circulation in Douglas County, Oregon, for a period of three weeks in the issues of December 16, 23 and 30, 1975. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. M. John Youngquist, Watermaster of District No. 15, has filed a report to the effect that the proposed change in point of diversion of water 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 change in point of diversion of water from North Umpqua River, to wit:

From a point located 1576 feet North and 1646 feet East from the West quarter-corner of Section 33, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 26 South, Range 6 West, W.M.

To a point to be located 1180 feet South and 1150 feet East from the Northwest corner of Section 33, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 26 South, Range 6 West, W.M.,

for the irrigation of 5.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 26 South, Range 6 West, W.M., with a date of priority of May 12, 1939, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1976.

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, and shall not exceed 0.069 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 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 certificate of water right heretofore issued to Dale Guiley and recorded at Page 13780, Volume 12, State Record Of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding, and upon receipt of proof satisfactory to the Water Resources Director of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Donald R. Guiley and Marjorie McGaughey confirming the change in point of diversion.

Dated at Salem, Oregon, this 27th day of February, 1976.

/s/ JAMES F. SEXSON
Director