

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION)
OF ROGER DeJAGER FOR APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 5419

On December 12, 1983, an application was filed in the office of the Water Resources Director by Roger DeJager for approval of a change in place of use of water from North Santiam River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Marion County, Oregon, entered January 30, 1945, In the Matter of the Determination of the Relative Rights to the Use of the Waters of North Santiam River and Its Tributaries, a water right was established in the name of Sidney Irrigation Cooperative, tabulated in Volume 16, page 415, Order Record of the Water Resources Director, for use of not to exceed 1.03 cubic feet per second from North Santiam River for irrigation of, among other lands, a certain 27.6 acres in NE 1/4 SW 1/4, 1.2 acres in SW 1/4 SW 1/4, 16.0 acres in SE 1/4 SW 1/4, 12.0 acres in NW 1/4 SE 1/4 and 1.5 acres in SW 1/4 SE 1/4, Section 19, Township 9 South, Range 3 West, WM, with a date of priority of 1870, as evidenced by the certificate recorded at page 29924, Volume 21, State Record of Water Right Certificates.

Water for the said right is diverted, through the Sidney Canal, from a point located 50 feet North and 1930 feet West from the East Quarter Corner of Section 34, being within the SW 1/4 NE 1/4 of Section 34, Township 9 South, Range 2 West, WM.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom to 7.2 acres in NW 1/4 NE 1/4, 28.2 acres in SW 1/4 NE 1/4, 3.2 acres in NE 1/4 NW 1/4, 16.7 acres in SE 1/4 NW 1/4, 0.1 acre in NE 1/4 SW 1/4 and 2.9 acres in NW 1/4 SE 1/4, Section 19, Township 9 South, Range 3 West, WM.

Clifton R. King, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water diverted shall not exceed 1.03 cubic feet per second.

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:

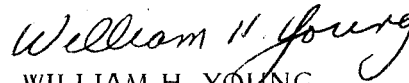
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 said water so transferred shall be applied to beneficial use on or before October 1, 1985.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which the water is transferred hereby, the change of water right shall be considered perfected, and at a later date, a certificate of water right shall be issued to Sidney Irrigation Cooperative confirming this and other changes within the District and supperseding Certificate 29924.

Dated at Salem, Oregon this 25th day of January, 1984.


WILLIAM H. YOUNG
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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