

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

POLK COUNTY

IN THE MATTER OF THE APPLICATION)
OF J. L. HENDRICKSON FOR APPROVAL)
OF CHANGES IN PLACE OF USE AND)
POINT OF DIVERSION OF WATER)
FROM LITTLE LUCKIAMUTE RIVER)

ORDER APPROVING
TRANSFER NO. 3541

On February 23, 1977, an application was filed in the office of the Water Resources Director by J.L. Hendrickson for changes in place of use and point of diversion under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 24210, Volume 17, State Record of Water Right Certificates, in the name of Elmer Knaupp, describes a right for the use of not to exceed 0.50 cubic foot per second from Little Luckiamute River for irrigation of 2.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 16.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 21.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, Township 9 South, Range 5 West, W.M., with a date of priority of July 21, 1952.

Water for the said right is diverted from a point located 1600 feet South and 1000 feet East from the Northwest corner of DLC No. 51, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 9 South, Range 5 West, W.M.

The applicant herein, owner of said lands, proposes to sever the right therefrom and, without loss of priority, to irrigate a certain 9.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 6.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 13.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, Township 8 South, Range 6 West, W.M., by diversion of water from a point located 1320 feet South and 530 feet West from the Northeast corner of Section 36, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 36; and to irrigate a certain 11.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 5 West, W.M., by diversion of water from a point located 2330 feet North and 80 feet East from the Southwest corner of Section 31, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 31.

Notice of the application, pursuant to ORS 540.510, was published in the Itemizer-Observer, a newspaper printed and having general circulation in Polk County, Oregon, for a period of three weeks in the issues of May 11, 18 and 25, 1977.

Mr. Benjamin E. Monroe, 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.

It is FURTHER ORDERED that the quantity of water diverted at the new points of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.50 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 head-gates 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;

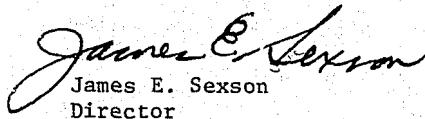
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the 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 Elmer Knaupp and recorded at page 24210, Volume 17, State Record of Water Right Certificates, is canceled, 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 29th day of July, 1977.


James E. Sexson
Director