

BEFORE THE STATE ENGINEER OF OREGON

Yamhill County

IN THE MATTER OF THE APPLICATION )  
 OF A. C. CAMP FOR THE APPROVAL OF )  
 A CHANGE IN POINT OF DIVERSION AND )  
 ESTABLISHING AN ADDITIONAL POINT OF )  
 DIVERSION OF WATER FROM SOUTH YAMHILL )  
 RIVER )  
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ORDER APPROVING  
TRANSFER NO. C-197

On January 9, 1969, A. C. Camp filed an application in the office of the State Engineer for the approval of a change in point of diversion and establishing an additional point of diversion of water from South Yamhill River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to A. C. Camp and recorded at page 22358, Volume 16, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.38 cubic foot per second of the waters of South Yamhill River for the irrigation of 5.4 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 1.6 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 3.2 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 8.4 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 2.6 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 8.8 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 32, Township 5 South, Range 5 West, W.M., with a date of priority of August 31, 1951. These lands are irrigated by means of pumps located 825 feet north and 4870 feet east and 950 feet north and 2660 feet east from the SW corner of James Toney D.L.C. being within NW $\frac{1}{4}$  SE $\frac{1}{4}$  and NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 32, Township 5 South, Range 5 West, W.M. The certificate of water right erroneously described the points of diversion as being within NE $\frac{1}{4}$  SE $\frac{1}{4}$  and NE $\frac{1}{4}$  SW $\frac{1}{4}$ .

The applicant herein, owner of the land above described, proposes to irrigate 3.2 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 8.4 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 32, Township 5 South, Range 5 West, W.M. from a point of diversion to be located 70 feet north and 1440 feet east from the SW

corner of James Toney D.L.C. being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 32, Township 5 South, Range 5 West, W.M. and also proposes to irrigate 5.4 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 1.6 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 2.6 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 8.8 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 32, Township 5 South, Range 5 West, W.M. from the existing point of diversion located 825 feet north and 4870 feet east from the SW corner of James Toney D.L.C. being within NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 32, Township 5 South, Range 5 West, W.M. and to establish an additional point of diversion to be located 1150 feet north and 4280 feet east from the SW corner of James Toney D.L.C. being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 32, Township 5 South, Range 5 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 McMinnville, Oregon, on March 26, 1969, at 9:30 a.m. The notice was published in The Sheridan Sun, a newspaper printed and having general circulation in Yamhill County, Oregon, for a period of three weeks in the issues of January 30, February 6 and 13, 1969. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Clayton J. Gardner, Watermaster for District No. 1, has filed a report to the effect that the proposed points of diversion may be established without injury to existing rights.

No objections having been filed and it appearing that the proposed points of diversion may be established without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the applicant may maintain the present point of diversion from South Yamhill River, to-wit:

825 feet north and 4870 feet east from the SW corner of James Toney D.L.C. being within NW¼ SE¼ of Section 32, Township 5 South, Range 5 West, W.M.

and may establish an additional point of diversion to be located as follows:

1150 feet north and 4280 feet east from the SW corner of James Toney D.L.C. being within the NW¼ SE¼ of Section 32, Township 5 South, Range 5 West, W.M.

for the irrigation of 5.4 acres in SW¼ NE¼, 1.6 acres in SE¼ NE¼, 2.6 acres in NE¼ SE¼ and 8.8 acres in NW¼ SE¼, Section 32, Township 5 South, Range 5 West, W.M., with a date of priority of August 31, 1951, is approved.

It is FURTHER ORDERED that the proposed change in point of diversion of water from South Yamhill River, to-wit:

From a point located 950 feet north and 2660 feet east from the SW corner of James Toney D.L.C. being within the NE¼ SW¼ of Section 32, Township 5 South, Range 5 West, W.M.

To a point to be located 70 feet north and 1440 feet east from the SW corner of James Toney D.L.C. being within the SW¼ SW¼ of Section 32, Township 5 South, Range 5 West, W.M.

for the irrigation of 3.2 acres in NE¼ SW¼ and 8.4 acres in NW¼ SW¼, Section 32, Township 5 South, Range 5 West, W.M., with a date of priority of August 31, 1951, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion and the additional point of diversion for the appropriation of water be made on or before October 1, 1969.

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 points of diversion.

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 certificate of water right heretofore issued to A. C. Camp and recorded at page 22358, 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 points of diversion, a certificate of water right shall be issued to A. C. Camp confirming the additional points of diversion.

Dated at Salem, Oregon, this 16<sup>th</sup> day of April, 1969.

  
CHRIS L. WHEELER  
State Engineer