

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Yamhill County

IN THE MATTER OF THE APPLICATION)
OF THOMAS A. DADE FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM WILLAMINA CREEK)

ORDER APPROVING
TRANSFER NO. 3500

On December 15, 1976, Thomas A. Dade filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from Willamina Creek pursuant to the provisions of ORS 540.510 to 540.530.

An existing water right of record, being a portion of the right described by the certificate recorded at Page 15372, Volume 13, State Record of Water Right Certificates, and modified under the provisions of an order of the State Engineer dated April 10, 1973, approving water right transfer application No. 2690, authorizes the appropriation of not to exceed 0.01 cubic foot per second from Willamina Creek at a point of diversion located 3050 feet North and 1600 feet West from the Southeast corner of Section 24, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, Township 5 South, Range 7 West, W.M., for irrigation of 0.2 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 0.4 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within the Burford DIC 44, Section 24, Township 5 South, Range 7 West, W.M., with a date of priority of May 28, 1931.

The applicant herein, owner of the lands above described, proposes to change the point of diversion to a point located 3040 feet North and 490 feet West from the Northeast corner of the Fendall DIC 39, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within the Burford DIC 44, Section 24, Township 5 South, Range 7 West, W.M.

Mr. Ben Monroe, Watermaster of District No. 18, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objection 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 requested change in point of diversion from Willamina Creek as described herein, without loss of priority, is approved.

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 0.01 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;

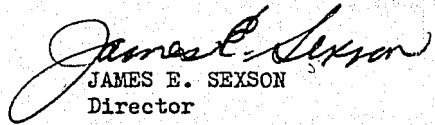
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that no time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that the portion of the right involved in the change authorized herein NOT be included in the confirming certificate to be issued as provided by the order entered April 10, 1973, approving transfer application No. 2690, and upon receipt of proof satisfactory to the Water Resources Director of completion of the change in point of diversion authorized

herein, a certificate of water right shall be issued to Thomas A. Dade confirming the change in point of diversion.

Dated at Salem, Oregon, this 21st day of December, 1976.


JAMES E. SEXSON
Director