

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION OF)
SIDNEY IRRIGATION COOPERATIVE FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER)

ORDER APPROVING
TRANSFER 5378

On October 3, 1983, an application was filed in the office of the Water Resources Director by Sidney Irrigation Cooperative 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 November 22, 1961, 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, pages 411, 413, 414, 415, 416 and 417, Order Record of the Water Resources Director, for use of not to exceed 6.18 cubic feet per second from North Santiam River for irrigation of, among other lands, a certain 350.1 acres within Sidney Irrigation Cooperative with a date of priority of 1870, as evidenced by the certificate recorded at page 22924, 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 proposes to change the place of use from those lands in Tabulation A to irrigation of those lands in Tabulation B. The change in place of use is reported to be completed.

TABULATION A

George J. Riggs
19.1 acres NE 1/4 NW 1/4
0.6 acre SE 1/4 NW 1/4
Section 17
Township 9 South, Range 3 West, WM
in John D. Wood DLC 57

John Finlay
6.0 acres NE 1/4 NW 1/4
11.7 acres NW 1/4 NW 1/4
7.1 acres SW 1/4 NW 1/4
5.2 acres SE 1/4 NW 1/4
Section 17
Township 9 South, Range 3 West, WM
in John D. Wood DLC 57

Chris J. Jorgenson
2.1 acres SE 1/4 SE 1/4
Section 28
Township 9 South, Range 3 West, WM
in George W. Helm DLC 52

TABULATION B

Ankeny National Wildlife Refuge
7.7 acres in NE 1/4 SW 1/4
8.4 acres in NW 1/4 SE 1/4
3.6 acres in SW 1/4 SE 1/4
Section 20
Township 9 South, Range 3 West, WM

William C. Grenz
3.1 acres in SE 1/4 NE 1/4
3.6 acres in SE 1/4 SW 1/4
9.1 acres in NE 1/4 SE 1/4
14.2 acres in NW 1/4 SE 1/4
Section 33
Township 9 South, Range 2 West, WM

James R. Jorgenson
2.1 acres in NE 1/4 NE 1/4
Section 28
Township 9 South, Range 3 West, WM

Paul Andresen
4.3 acres NE 1/4 NE 1/4
3.8 acres NW 1/4 NE 1/4
Section 27
Township 9 South, Range 3 West, WM
in Wm. Helm DLC 51

Arthur Brandt
14.4 acres Lot 1 (S 1/2 NW 1/4)
7.2 acres NW 1/4 SW 1/4
Section 26
5.8 acres SE 1/4 NE 1/4
9.0 acres NE 1/4 SE 1/4
Section 27
Township 9 South, Range 3 West, WM

Mack Hamby
5.6 acres SW 1/4 NE 1/4
15.85 acres NW 1/4 SE 1/4
Section 36
Township 9 South, Range 3 West, WM
in Hiram A. Johnson DLC 55
3.5 acres Lot 3 (NW 1/4 SE 1/4)
0.05 acre SW 1/4 SE 1/4
Section 36
Township 9 South, Range 3 West, WM

Ray Newton
0.2 acre SW 1/4 SW 1/4
3.7 acres SE 1/4 SW 1/4
Section 33
Township 9 South, Range 2 West, WM
in Jesse H. Adams DLC 57

William Krebs
7.3 acres NE 1/4 NW 1/4
10.7 acres SE 1/4 NW 1/4
Section 19
Township 9 South, Range 3 West, WM
in Wm. Nordyk DLC 45

George W. Potts, Jr.
3.4 acres SW 1/4 SE 1/4
6.5 acres SE 1/4 SE 1/4
Section 19
0.8 acre NE 1/4 NE 1/4
0.6 acre NW 1/4 NE 1/4
Section 30
Township 9 South, Range 3 West, WM
in Jas. Pritchett DLC 46

Robert Rickard
6.3 acres NE 1/4 SE 1/4
3.7 acres SE 1/4 SE 1/4
Section 19
Township 9 South, Range 3 West, WM
in Jas. Pritchett DLC 46

Van Loon
1.3 acres in NE 1/4 NE 1/4
6.8 acres in NW 1/4 NE 1/4
Section 27
Township 9 South, Range 3 West, WM

Arthur Brandt
3.7 acres SW 1/4 NW 1/4
6.2 acres NE 1/4 SW 1/4
21.2 acres NW 1/4 SW 1/4
4.6 acres SW 1/4 SW 1/4
Section 26
0.7 acre SE 1/4 NE 1/4
Section 27
Township 9 South, Range 3 West, WM

Charles L. Sitton
5.0 acres SE 1/4 SE 1/4
Section 31
Township 9 South, Range 2 West, WM
5.7 acres NW 1/4 NW 1/4
Section 5
14.3 acres NE 1/4 NE 1/4
Section 6
Township 10 South, Range 2 West, WM

William C. Grenz
3.9 acres NE 1/4 SE 1/4
Section 33
Township 9 South, Range 2 West, WM

Patricia A. Rickard
0.2 acre SE 1/4 NE 1/4
7.8 acres NE 1/4 SE 1/4
Section 19
Township 9 South, Range 3 West, WM

Bryce Page
1.0 acre NE 1/4 SW 1/4
9.0 acres NW 1/4 SW 1/4
Section 30
Township 9 South, Range 2 West, WM

Paul B. Hesse
6.0 acres SW 1/4 SE 1/4
4.3 acres SE 1/4 SE 1/4
Section 19
1.0 acre NW 1/4 NE 1/4
Section 30
Township 9 South, Range 3 West, WM

Patricia A. Rickard
9.7 acres NE 1/4 SE 1/4
0.3 acre NW 1/4 SE 1/4
Section 19
Township 9 South, Range 3 West, WM

George H. Marlatt
4.0 acres SW 1/4 NW 1/4
2.8 acres SE 1/4 NW 1/4
18.3 acres NE 1/4 SW 1/4
17.4 acres NW 1/4 SW 1/4
22.3 acres SW 1/4 SW 1/4
4.2 acres SE 1/4 SW 1/4
0.6 acre NW 1/4 SE 1/4
Section 20
5.4 acres NW 1/4 NW 1/4
Section 29
Township 9 South, Range 3 West, WM
in John Bashan DLC 47

Harold E. Super
5.8 acres Lot 5 (SW 1/4 SE 1/4)
3.7 acres Lot 4 (SE 1/4 SE 1/4)
Section 17
5.1 acres NE 1/4 NE 1/4
4.7 acres NW 1/4 NE 1/4
Section 20
Township 9 South, Range 3 West, WM

Keith R. Allen
17.0 acres SE 1/4 NE 1/4
7.6 acres NE 1/4 SE 1/4
0.4 acre SW 1/4 SE 1/4
Section 29
Township 9 South, Range 3 West, WM
in Nelson R. Doty DLC 49

Ralph de Vilbiss
7.2 acres NE 1/4 SW 1/4
1.3 acres NE 1/4 SE 1/4
27.0 acres NW 1/4 SE 1/4
6.0 acres SW 1/4 SE 1/4
0.5 acre SE 1/4 SE 1/4
Section 28
Township 9 South, Range 3 West, WM
in John M. Harrison DLC 56

David Wied
3.7 acres NE 1/4 NW 1/4
Section 1
Township 10 South, Range 3 West, WM
in James M. Bates DLC 65

Jim R. Wied
15.1 acres Lot 5 (NW 1/4 NE 1/4)
Section 1
Township 10 South, Range 3 West, WM
4.6 acres NW 1/4 NE 1/4
0.9 acre SW 1/4 NE 1/4
Section 1
Township 10 South, Range 3 West, WM
in James M. Bates DLC 65

Ankeny National Wildlife Refuge
27.3 acres SE 1/4 SW 1/4
19.0 acres SW 1/4 SE 1/4
3.2 acres SE 1/4 SE 1/4
Section 20
2.3 acres NE 1/4 NE 1/4
7.8 acres NW 1/4 NE 1/4
8.2 acres NE 1/4 NW 1/4
7.2 acres NW 1/4 NW 1/4
Section 29
Township 9 South, Range 3 West, WM

Ankeny National Wildlife Refuge
8.2 acres NE 1/4 SW 1/4
11.1 acres NW 1/4 SE 1/4
Section 20
Township 9 South, Range 3 West, WM

Thomas L. Pilcher
0.9 acre NE 1/4 SE 1/4
5.8 acres SE 1/4 SE 1/4
Section 23
3.1 acres NW 1/4 SW 1/4
15.2 acres SW 1/4 SW 1/4
Section 24
Township 9 South, Range 3 West, WM

Arthur B. Page
1.4 acres NE 1/4 NW 1/4
15.1 acres NW 1/4 NW 1/4
20.7 acres SW 1/4 NW 1/4
1.8 acres SE 1/4 NW 1/4
3.0 acres NW 1/4 SW 1/4
Section 30
Township 9 South, Range 2 West, WM

Janet B. Weid
1.9 acres NE 1/4 SW 1/4
1.8 acres SE 1/4 SW 1/4
Section 1
Township 10 South, Range 3 West, WM

Juan Gonzalez
15.0 acres NW 1/4 NE 1/4
Section 1
Township 10 South, Range 3 West, WM

Lois L. Gisler
4.5 acres NW 1/4 NE 1/4
1.1 acres SW 1/4 NE 1/4
Section 1
Township 10 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.

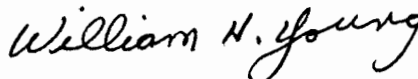
It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

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 the certificate recorded at page 29924, Volume 21, 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 new certificate of water right shall be issued to the applicant herein, confirming this and Transfers 2426, 5245 and 5419 within Sidney Irrigation Cooperative.

Dated at Salem, Oregon this 11th day of May, 1984.



WILLIAM H. YOUNG,sm
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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