

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION )  
OF WALBURGA AND WILLIAM KREBS )  
FOR APPROVAL OF A CHANGE IN )  
PLACE OF USE OF WATER )  
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ORDER APPROVING  
TRANSFER 5433

On January 31, 1984, an application was filed in the office of the Water Resources Director by Walburga and William Krebs 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.

The certificate recorded at page 29924, Volume 21, State Record of Water Right Certificates, in the name of Sidney Irrigation Cooperative, describes a right which includes the use of not to exceed 1.82 cubic feet per second from North Santiam River, for irrigation of 1.0 acre in SW 1/4 SW 1/4, Section 18; 15.3 acres in NE 1/4 NW 1/4, 39.4 acres in NW 1/4 NW 1/4, 23.8 acres in SW 1/4 NW 1/4, 8.4 acres in SE 1/4 NW 1/4, Section 19, Township 9 South, Range 3 West, WM; 0.1 acre in SE 1/4 SE 1/4, Section 13; 11.4 acres in NE 1/4 NE 1/4, 3.6 acres in SE 1/4 NE 1/4, Section 24, Township 9 South, Range 4 West, WM, with a date of priority of 1870.

Water for the said right is diverted, through the Sidney Ditch, 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 applicants herein, owners of the lands above described, propose to transfer the right therefrom to a certain 13.9 acres in SE 1/4 SW 1/4, 10.2 acres in NW 1/4 SE 1/4, 15.6 acres in SW 1/4 SE 1/4, Section 16; 0.1 acre in NW 1/4 NE 1/4, 17.7 acres in NE 1/4 NW 1/4, Section 21; 16.9 acres in NE 1/4 SW 1/4, 28.6 acres in SE 1/4 SW 1/4, Section 27, 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.

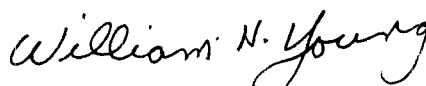
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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

It is FURTHER ORDERED that the portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered May 11, 1984, approving Transfer Application 5378; 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 Sidney Irrigation Cooperative.

Dated at Salem, Oregon this 18th day of May, 1984.

  
WILLIAM H. YOUNG, 201  
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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