

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CLACKAMAS COUNTY

IN THE MATTER OF THE APPLICATION OF)	
WILLAMETTE FACTORS, INC.)	ORDER APPROVING
FOR APPROVAL OF A CHANGE IN POINT)	TRANSFER T-6018
OF DIVERSION OF WATER)	

On November 9, 1987, an application was filed in the office of the Water Resources Director by Willamette Factors, Inc. for approval of a change in point of diversion of water from the Willamette River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 45247, Volume 37, State Record of Water Right Certificates, in the name of Frederick W. Wagner, describes a right for the use of not to exceed 0.09 cubic foot per second of water from the Willamette River for irrigation of 2.3 acres SW1/4 SW1/4, 6.0 acres SE1/4 SW1/4, Section 24, 14.1 acres NE1/4 NW1/4, 6.9 acres SE1/4 NW1/4, Section 25, all within Township 3 South, Range 1 West, WM, with a date of priority of February 17, 1953.

Water for said right is diverted from a point located 1150 feet North and 625 feet East from the Southwest corner of Section 24, being within the SW1/4 SW1/4 of Section 24, Township 3 South, Range 1 West, WM.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom to a point located 2300 feet North and 300 feet West from the South 1/4 corner of Section 24, being within NE1/4 SW1/4, Section 24, Township 3 South, Range 1 West, WM.

Notice of the application, pursuant to ORS 540.520(2), was published in the Daily Journal of Commerce, a newspaper having general circulation in the area in which the water right is located, for a period of three weeks in the issues of December 8, 15, and 22, 1988.

Clifton R. King, Watermaster, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objections 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 is hereby ORDERED that the proposed change in point of diversion is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed 0.09 cubic feet per second and 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 under the subject right.

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

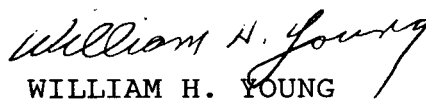
That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the right to divert water from the point described in Certificate 45247 is hereby canceled, and water shall be used from the new diversion point on or before October 1, 1990.

It is FURTHER ORDERED that the certificate recorded at page 45247, Volume 37, 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 2nd day of June, 1989.


WILLIAM H. YOUNG
Director

NOTE: Approval of the 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.