

Linn County

IN THE MATTER OF THE APPLICATION
OF SCHELER CORPORATION FOR THE
APPROVAL OF A CHANGE IN POINT OF
DIVERSION OF WATER FROM GROUND WATER

ORDER APPROVING
TRANSFER NO. 3342

On December 26, 1975, Scheler Corporation filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from ground water, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to George C. and Pauline Scheler and recorded at Page 29873, Volume 21, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.14 cubic foot per second of water from ground water for the irrigation of 11.4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, Township 11 South, Range 2 West, W.M., with a date of priority of October 16, 1956. These lands are irrigated from Scheler Well No. 1 located 21.5 chains North and 15.3 chains East from the Southeast corner of Bayse DIC #68, being within Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) Section 6, Township 11 South, Range 2 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a well to be located 19 chains North and 21 chains East from the Southeast corner of DIC #68, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, Township 11 South, Range 2 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions.

Mr. William Bartholomew, administrator of the Ground Water Division, has filed a report to the effect that the proposed change in point of diversion of water 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 hereby is ORDERED that the change in point of diversion of water from ground water, to wit:

From Scheler Well No. 1 located 21.5 chains North and 15.3 chains East from the Southeast corner of Bayse DIC #68, being within Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 6, Township 11 South, Range 2 West, W.M.

To a well to be located 19 chains North and 21 chains East from the Southeast corner of DIC #68, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, Township 11 South, Range 2 West, W.M.

for the irrigation of 11.4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, Township 11 South, Range 2 West, W.M., with a date of priority of October 16, 1956, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1976.

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 0.14 cubic foot per second.

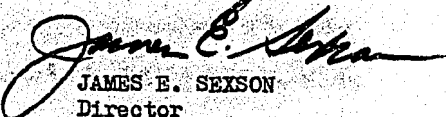
It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install head-gates and measuring devices.

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 of water right heretofore issued to George C. and Pauline Scheler and recorded at Page 29873, Volume 21, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the Water Resources Director of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Scheler Corporation confirming the change in point of diversion.

Dated at Salem, Oregon, this 9th day of January, 1976.


JAMES E. SEXSON
Director