

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION  
OF EUGENE S. SHREYER FOR THE APPROVAL  
OF A CHANGE IN POINT OF DIVERSION OF  
WATER FROM WOODS CREEK  
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ORDER APPROVING  
TRANSFER NO. 3132

On September 24, 1974, Eugene S. Shreyer filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Woods Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Alba McCollum and recorded at page 38983, Volume 30, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.21 cubic foot per second of water from Woods Creek for the irrigation of, among other lands, 10.1 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 23, Township 6 South, Range 2 West, W.M., with a date of priority of October 17, 1968. These lands are irrigated from a point of diversion located 280 feet South and 2250 feet West from the Northeast corner of Saunders DIC 42, being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 23, Township 6 South, Range 2 West, W.M.

The applicant herein, contract purchaser of the lands above described, proposes to irrigate these lands from a point of diversion to be located 800 feet South and 2375 feet West from the Northeast corner of Saunders DIC 42, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 23, Township 6 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. Keith Palmer, Watermaster of District No. 16, 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 Woods Creek, to wit:

From a point located 280 feet South and 2250 feet West from the Northeast corner of Saunders DLC 42, being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 23, Township 6 South, Range 2 West, W.M.

To a point to be located 800 feet South and 2375 feet West from the Northeast corner of Saunders DLC 42, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 23, Township 6 South, Range 2 West, W.M.

for the irrigation of 10.1 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 23, Township 6 South, Range 2 West, W.M., with a date of priority of October 17, 1968, 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, 1975.

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 0.124 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 certificate of water right heretofore issued to Alba McCollum and recorded at page 38983, Volume 30, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued

covering the balance of the lands not involved in this proceeding and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Eugene S. Shreyer confirming the change in point of diversion.

Dated at Salem, Oregon, this 25th day of April, 1975.

  
CHRIS L. WHEELER  
State Engineer