

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION OF)
BOISE CASCADE CORP. & CITY OF SALEM)
FOR APPROVAL OF CHANGES IN POINT OF)
DIVERSION AND USE OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 3999

On July 28, 1978, an application was filed in the office of the Water Resources Director by Boise Cascade Corporation and City of Salem for approval of changes in point of diversion and use heretofore made of water from North Santiam River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 38652, Volume 30, State Record of Water Right Certificates, in the name of Boise Cascade, describes a right for the use of not to exceed 162.0 cubic feet per second from North Santiam River for power and manufacturing in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 7 South, Range 3 West, W.M., with a date of priority of 1856.

Water for said right is diverted from a point located 370 feet South and 565 feet East from the Northwest Corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 11, Township 9 South, Range 1 West, W.M.

The applicants herein propose to change the use heretofore made of 62.0 cubic feet per second of said water from the purpose of manufacturing to hereafter use the water for municipal purposes within the City of Salem service area within Sections 31 and 32, Township 6 South, Range 2 West, W.M.; Sections 23, 26, 34, 35 and 36, Township 6 South, Range 3 West, W.M.; Sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31 and 32, Township 7 South, Range 2 West, W.M.; Sections 1, 2, 3, and 8 through 36, Township 7 South, Range 3 West, W.M.; Sections 5, 6, 7, 8, 17, 18, 19 and 20, Township 8 South, Range 2 West, W.M.; Sections 1 through 17; 20 through 24; 27 and 28, Township 8 South, Range 3 West, W.M.; and to change the point of diversion for the said 62.0 cubic feet per second of water from the point described above to hereafter divert the water from two points of diversion located: (1) 620 feet South and 120 feet West from the Northeast Corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 13, Township 9 South, Range 1 West, W.M.; and (2) 830 feet South and 660 feet East from the Northwest Corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 13, Township 9 South, Range 1 West, W.M., all without loss of priority.

Notice of the application, pursuant to ORS 540.520(2), was published in the

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Oregon Statesman, a newspaper printed and having general circulation in Marion County, Oregon, for a period of three weeks in the issues of August 14, 21, and 28, 1978.

Mr. Clifton R. King, Watermaster, has filed a statement to the effect that the proposed changes in point of diversion and use heretofore made of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in point of diversion and use heretofore made of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested changes in point of diversion and use heretofore made of water, as described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water diverted at the new points 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 shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

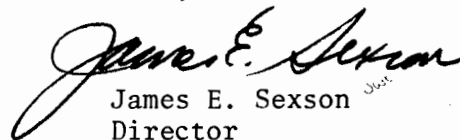
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 construction work shall be completed and the change in point of diversion of water made and said water so transferred shall be applied to beneficial use on or before October 1, 1985.

It is FURTHER ORDERED that the certificate of water right recorded at page 38652, Volume 30, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; 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 City of Salem.

Dated at Salem, Oregon this 6th day of October, 1978.


James E. Sexson
Director