

Polk County

IN THE MATTER OF THE APPLICATION )  
OF GRANADA LAND COMPANY FOR THE )  
APPROVAL OF A CHANGE IN USE OF )  
WATER FROM GLENN CREEK )

ORDER APPROVING  
TRANSFER NO. 2973

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On February 8, 1974, Granada Land Company filed an application in the office of the Water Resources Director for the approval of a change in use heretofore made of water from Glenn Creek pursuant to the provisions of ORS 540.510 to 540.530.

Certificates of water right recorded at Page 26935 and 26936, Volume 19, State Record of Water Right Certificates, in the name of Bernard I. Koehler, describe existing rights of record which include storage of 4.0 acre feet of water from Glenn Creek for irrigation use, by means of an in channel storage dam located 2125 feet South and 175 feet West from the North-east corner of Section 19, being within the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 19, Township 7 South, Range 3 West, W.M.; and appropriation of not to exceed 0.11 cubic foot per second from Glenn Creek and the reservoir at the said dam for irrigation of a certain 5.6 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 19, and 3.6 acres in Lot 2 (SW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 20, Township 7 South, Range 3 West, W.M., all with a date of priority of December 9, 1954.

The applicant herein, owner of the reservoir and other lands above described, proposes to change, without loss of priority, the use heretofore made of the water and in lieu thereof to store 4.0 acre feet of water for use as a recreation pond within the said reservoir and to appropriate not to exceed 0.11 cubic foot per second from Glenn Creek to maintain the said recreation pond, all within the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 19, Township 7 South, Range 3 West, W.M.

Notice of the application, pursuant to ORS 540.510 was published in the Itemizer-Observer, a newspaper printed and having general circulation in Polk County, Oregon, for a period of three weeks in the issues of December 8, 15 and 22, 1976.

Mr. Benjamin E. Monroe, Watermaster of District No. 18, has filed a statement to the effect that the proposed change in use may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested change in use of water heretofore made from Glenn Creek and reservoir described herein, without loss of priority, is approved.

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 0.11 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 headgates and measuring devices:

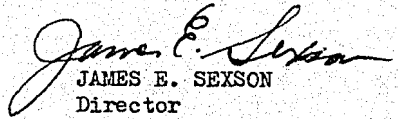
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 said water so transferred shall be applied to beneficial use on or before October 1, 1978.

It is FURTHER ORDERED that the certificates of water right heretofore issued to Bernard I. Koehler and recorded at Pages 26935 and 26936, Volume 19, State Record of Water Right Certificates, are 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 Granada Land Company.

Dated at Salem, Oregon, this 15th day of February, 1977.

  
JAMES E. SEXSON  
Director