

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION)
OF THE ILLAHE HILLS COUNTRY CLUB)
FOR THE APPROVAL OF A CHANGE IN)
POINT OF DIVERSION OF WATER FROM)
WILLAMETTE RIVER)

O R D E R

APPROVING APPLICATION

On November 13, 1961, Illahe Hills Country Club of Salem, Oregon, filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Willamette River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Fred C. Ritner and recorded at page 24252, Volume 17, State Record of Water Right Certificates, confirms a right under Permit No. 22571 for the use of the waters of Willamette River for the irrigation of 24.5 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 7 South, Range 3 West, W. M., and 31.0 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 8 South, Range 3 West, W. M., with a date of priority of July 27, 1953. These lands are irrigated by means of a pumping plant, the point of diversion of said pumping plant being located 10 chains South and 17.7 chains West from the northwest corner of J. M. Townsend DLC No. 47, and being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 7 South, Range 3 West, W. M.

The Illahe Hills Country Club, owner of 43.5 acres of the lands above described, to-wit: 20.0 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 7 South, Range 3 West, W. M., and 23.5 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, Township 8 South, Range 3 West, W. M., propose to irrigate said lands by means of a pumping plant located 1.5 chains South and 7.2 chains West from the northwest corner of DLC No. 47, and being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 7 South, Range 3 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.

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

NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from Willamette River, to-wit:

From a point located 10 chains South and 17.7 chains West from the northwest corner of J. M. Townsend D.L.C. No. 47, and being within the SW $\frac{1}{2}$ SW $\frac{1}{2}$, Section 31, Township 7 South, Range 3 West, W. M.

To a point located 1.5 chains South and 7.2 chains West from the northwest corner of D.L.C. No. 47, and being within the NW $\frac{1}{2}$ SW $\frac{1}{2}$, Section 31, Township 7 South, Range 3 West, W. M.

for the irrigation of 20.0 acres in the SW $\frac{1}{2}$ SW $\frac{1}{2}$, Section 31, Township 7 South, Range 3 West, W. M., and 23.5 acres in the NW $\frac{1}{2}$ NW $\frac{1}{2}$, Section 6, Township 8 South, Range 3 West, W. M., with a date of priority of July 27, 1953, be and the same is approved.

It is FURTHER ORDERED that no time need be fixed for completion of construction as the pumping plant has been installed and is in operation.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water that is available at the old point of diversion.

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 pumping plant and related works shall include a weir or other suitable device for measuring the water to which the applicant is entitled.

That the plans of the weir or other suitable device be approved by the watermaster of Marion County, Oregon, before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

Dated at Salem, Oregon, this 22nd day of November, 1961.

Notation made on Records

App. # 28660

Cert. # 24252

Lewis A. Stanley
LEWIS A. STANLEY
State Engineer