

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION)
OF HENRY & AGNES POSTMA FOR AP-)
PROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4241

On June 12, 1979, an application was filed in the office of the Water Resources Director by Henry and Agnes Postma for approval of a change in point of diversion, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 16757, Volume 14, State Record of Water Right Certificates, in the name of Ray McLaughlin, describes a right for the use of not to exceed 0.237 cubic foot per second from Pudding River for irrigation of a certain 5.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 6.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21; and 3.7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 2.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, Township 5 South, Range 1 West, W.M., with a date of priority of May 7, 1945.

Water for the said right is diverted from a point located 110 feet North and 1050 feet West from the North Quarter Corner of Section 28, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 5 North, Range 1 West, W.M.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom, without loss of priority, to a point located 680 feet North and 1140 feet West from the North Quarter Corner of Section 28, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 5 South, Range 1 West, W.M.

Mr. Clifton R. King, Watermaster, has filed a statement to the effect that the proposed change in point of diversion 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 requested change in point of diversion, as 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 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 on or before October 1, 1980.

It is FURTHER ORDERED that the certificate recorded at page 16757, Volume 14, State Record of Water Right Certificates, is canceled; 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 applicants herein.

Dated at Salem, Oregon this 20th day of August, 1979.


James E. Sexson
Director