

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

YAMHILL COUNTY

IN THE MATTER OF THE APPLICATION)
OF GAIL W. PRESSNALL FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER)

ORDER APPROVING
TRANSFER NO. 4492

On May 1, 1980, an application was filed in the office of the Water Resources Director by Gail W. Pressnall for approval of a change in point of diversion from Salt Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 28389, Volume 20, State Record of Water Right Certificates, in the name of Mr. Ivan Nisly, describes a right for the use of not to exceed 0.16 cubic foot per second from Salt Creek for irrigation of a certain 10.2 acres in Lot 2 (SE 1/4 SW 1/4), Section 29 and 6.3 acres in Lot 1 (NE 1/4 NW 1/4), Section 32, Township 5 South, Range 4 West, W.M., with a date of priority of March 19, 1957.

Water for the said right is diverted from a point located 230 feet North and 1500 feet East from the Southwest Corner of Section 29, being within the SE 1/4 SW 1/4 of Section 29, Township 5 South, Range 4 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion, without loss of priority, to a point located 170 feet South and 950 feet West from the South Quarter Corner of Section 29, being within the NE 1/4 NW 1/4 of Section 32, Township 5 South, Range 4 West, W.M.

Mr. Michael F. Ladd, 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;

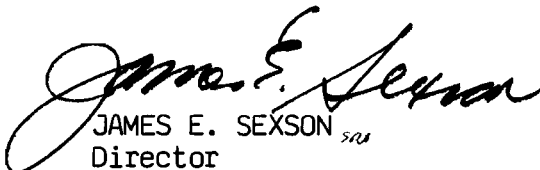
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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, 1981.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that the certificate recorded at page 28389, Volume 20, 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 applicant herein.

Dated at Salem, Oregon this 20th day of June, 1980.


JAMES E. SEXSON SR
Director