

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION )  
OF GEORGE J. ANDRES FOR APPROVAL )  
OF A CHANGE IN PLACE OF USE OF )  
WATER FROM PUDDING RIVER )  
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ORDER APPROVING  
TRANSFER NO. 3561

On March 2, 1977, an application was filed in the office of the Water Resources Director by George J. Andres for a change in place of use under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at Page 22360, Volume 16, State Record of Water Right Certificates, in the name of George Andres, describes a right for the use of not to exceed 0.29 cubic foot per second from Pudding River for irrigation of 18.4 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  and 4.8 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 32, Township 5 South, Range 1 West, W.M., with a date of priority of September 10, 1951.

Water for the said right is diverted from a point located 3000 feet South and 1280 feet West from the Northeast corner of Section 32, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 32.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom, and without loss of priority to irrigate in lieu thereof a certain 1.5 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 7.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 12.2 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 2.5 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 32, Township 5 South, Range 1 West, W.M.

Mr. Keith M. Palmer, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed change in place of 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 place of use as described herein, without loss of priority, is approved.

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:

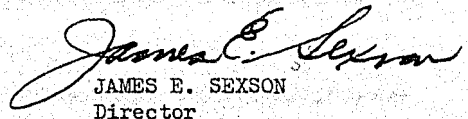
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to George Andres and recorded at Page 22360, Volume 16, 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 19th day of April, 1977.

  
JAMES E. SEXSON  
Director