

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION )  
OF JOHN N. SEVERIN FOR APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM UNNAMED DRAIN DITCH )  
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ORDER APPROVING  
TRANSFER NO. 3812

On October 3, 1977, an application was filed in the office of the Water Resources Director by John N. Severin for a change in point of diversion under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 30731, Volume 22, State Record of Water Right Certificates, in the names of W. C. Severin and John N. Severin, describes a right for the use of not to exceed 0.33 cubic foot per second from unnamed drain ditches for irrigation of 6.6 acres in SE $\frac{1}{2}$  NE $\frac{1}{2}$  of Section 8; 7.7 acres in SW $\frac{1}{2}$  NE $\frac{1}{2}$ , 18.6 acres in SW $\frac{1}{2}$  NW $\frac{1}{2}$  and 18.4 acres in SE $\frac{1}{2}$  NW $\frac{1}{2}$  of Section 9, all as projected within Settlemire D.L.C. No. 53, Township 6 South, Range 1 West, W.M., with a date of priority of August 12, 1960.

Water for the said right is diverted from four points located: (1) 680 feet South and 2100 feet East, (2) 1240 feet South and 2080 feet East, (3) 680 feet South and 530 feet East, and (4) 680 feet South and 3270 feet East from the most southerly Southeast corner of the John Covey D.L.C. No. 58, being within the (1) and (2) SE $\frac{1}{2}$  NW $\frac{1}{2}$ , (3) SW $\frac{1}{2}$  NW $\frac{1}{2}$  and (4) SW $\frac{1}{2}$  NE $\frac{1}{2}$ , of said Section 9.

The applicant herein, owner of the lands above described, proposes to abandon points of diversion (3) and (4) as described above, and to change the point of diversion of water for a certain 7.7 acres in SW $\frac{1}{2}$  NE $\frac{1}{2}$  and 14.6 acres in SE $\frac{1}{2}$  NW $\frac{1}{2}$  of said Section 9 by changing from points (1) and (2) as described above, without loss of priority, to a point located 960 feet South and 2090 feet East from the most southerly Southeast corner of the John Covey D.L.C. No. 58, being within the SW $\frac{1}{2}$  NW $\frac{1}{2}$  of said Section 9.

Mr. Keith Palmer, 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 diverted at the old point of diversion and shall not exceed 0.28 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 the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1979.

The applicant herein has submitted an affidavit abandoning the remainder of the right described by the certificate recorded at page 30731, Volume 22, State Record of Water Right Certificates; therefore,

It is FURTHER ORDERED that the right for appropriation of not to exceed 0.05 cubic foot per second of water from unnamed drainage ditches, with a date of

priority of August 12, 1960, for irrigation of 6.6 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 8; 18.6 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 3.8 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 9, Township 6 South, Range 1 West, W.M., is hereby canceled.

It is FURTHER ORDERED that the certificate of water right heretofore issued to W. C. Severin and John N. Severin and recorded at page 30731, Volume 22, 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 21st day of October, 1977.

  
James E. Sexson  
Director