

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION )  
OF ERNEST L. PLETZER FOR THE )  
APPROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER FROM AN UNNAMED )  
SLOUGH )  
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ORDER APPROVING  
TRANSFER NO. P-32

On January 15, 1968, Ernest L. Pletzer filed an application in the office of the State Engineer for a change in point of diversion of water from an unnamed slough, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Flora B. Thomas and recorded at page 31095, Volume 23, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.42 cubic foot per second of water from an unnamed slough for the irrigation of 12.4 acres in NE¼ SW¼, 7.2 acres in SE¼ SW¼, 8.0 acres in NW¼ SE¼, and 6.0 acres in SW¼ SE¼, Section 5, Township 10 South, Range 2 West, W.M., with a date of priority of March 16, 1959. Water for this use is diverted from a point located 3890 feet South and 220 feet West from the NE corner of Ed Bellinger DLC 57 being within the NW¼ NE¼ of Section 8, Township 10 South, Range 2 West, W.M.

The applicant herein, owner of the land above described, proposes to divert the water for irrigation from a point located 2173 feet South and 412 feet East from the NE corner of DLC 57 being within the NW¼ SE¼ of Section 5, Township 10 South, Range 2 West, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely: at the county courthouse in Salem, Oregon,

on March 25, 1968, at 9:30 a.m. The notice was published in the Oregon Statesman, a newspaper printed and having general circulation in Marion County, Oregon, for a period of three weeks in the issues of February 1, 8, and 15, 1968. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Ralph H. Jackson, Watermaster of District No. 2, has filed a report to the effect that the proposed change in point of diversion of water 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 proposed change in point of diversion of water from an unnamed slough, to-wit:

From a point located 3890 feet South and 220 feet West from the NE corner of Ed Bellinger DLC 57 being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 8, Township 10 South, Range 2 West, W.M.

To a point to be located 2173 feet South and 412 feet East from the NE corner of DLC 57 being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 5, Township 10 South, Range 2 West, W.M.

for the irrigation of 12.4 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 7.2 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , 8.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and 6.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 5, Township 10 South, Range 2 West, W.M., with a date of priority of March 16, 1959, is approved.

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, 1968.

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, and shall not exceed 0.42 cubic foot per second.

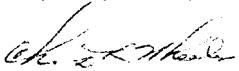
It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

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 certificate of water right heretofore issued to Flora B. Thomas and recorded at page 31095, Volume 23, State Record of Water Right Certificates is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Ernest L. Pletzer confirming the change in point of diversion.

Dated at Salem, Oregon, this 5<sup>th</sup> day of April, 1968.

  
CHRIS L. WHEELER  
State Engineer