

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION )  
OF TOM DeARMOND FOR APPROVAL OF )  
A CHANGE IN USE OF WATER )  
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ORDER APPROVING  
TRANSFER NO. 4093

On November 8, 1978, an application was filed in the office of the Water Resources Director by Tom DeArmond for approval of a change in use heretofore made of stored water in a reservoir and from an unnamed stream, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 24501, Volume 17, State Record of Water Right Certificates, in the name of Arthur R. Zehner, describes a right for storage of not to exceed 14.3 acre feet of water from an unnamed stream for the purpose of irrigation, with a priority date of August 20, 1953, the reservoir being located in Lots 1 and 2 and the NE $\frac{1}{4}$  NW $\frac{1}{4}$  and NW $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected within Rodde D.L.C. No. 57 of Section 33, Township 4 South, Range 1 West, W.M.

The certificate recorded at page 20761, Volume 15 of said record, in the name of Arthur R. Zehner, describes a right which includes the use of not to exceed 0.08 cubic foot per second from an unnamed stream for irrigation of 6.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  as projected within Rodde D.L.C. No. 57 of Section 33, Township 4 South, Range 1 West, W.M., with a date of priority of August 29, 1946.

The authorized point of diversion of record for said rights is located 800 feet West from the Southeast Corner of Rodde D.L.C. No. 57, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 33, Township 4 South, Range 1 West, W.M.

The applicant herein proposes to change the use for which the 14.3 acre feet of water has been stored and the use heretofore made of the 0.08 cubic foot per second of water from the unnamed stream and, without loss of priority, to hereafter store said 14.3 acre feet of water from the unnamed stream in said reservoir for wildlife and to hereafter use said 0.08 cubic foot per second of water from the unnamed stream during the irrigation season of each year for maintaining the said reservoir for wildlife.

Notice of the application, pursuant to ORS 540.520(2), 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 December 9, 16 and 23, 1978.

Mr. Clifton R. King, Watermaster, has filed a statement to the effect that the proposed change in use heretofore made of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in use heretofore made of water may be made without injury to existing rights, the application should be approved.

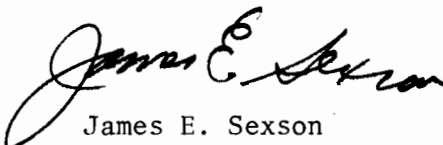
NOW, THEREFORE, it hereby is ORDERED that the requested change in use heretofore made of water, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that NO time need be fixed for completion as the change in use heretofore made of water is completed.

The order of the Water Resources Director entered January 29, 1979, provided for cancellation of that portion of the right described by certificate of water right recorded at page 20761, Volume 15, State Record of Water Right Certificates, NOT involved in this transfer proceeding; therefore,

It is FURTHER ORDERED that the certificate of water right recorded at page 20761, Volume 15, 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 31st day of January, 1979.

  
James E. Sexson  
Director