

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CLACKAMAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF IGNATI SNEGIREV FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM PUDDING RIVER)
- - - - -

ORDER APPROVING
TRANSFER NO. 4125

On January 12, 1979, an application was filed in the office of the Water Resources Director by Ignati Snegirev for approval of a change in point of diversion of water from Pudding River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 22564, Volume 16, State Record of Water Right Certificates, in the name of Merle Trachael, describes a right which includes the use of not to exceed 0.45 cubic foot per second from Pudding River for irrigation of a certain 13.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 18.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 4.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, Township 5 South, Range 1 West, W.M., with a date of priority of October 31, 1951.

The authorized point of diversion of record for said right is located 50 feet South and 800 feet West from the North Quarter Corner of Section 1, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, Township 5 South, Range 1 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 1100 feet South and 950 feet East from the Northwest Corner of Section 1, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, Township 5 South, Range 1 West, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Molalla Pioneer, a newspaper printed and having general circulation in Clackamas County, Oregon for a period of three weeks in the issues of January 24 and 31; and February 7, 1979.

Mr. Clifton R. King, 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.

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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:

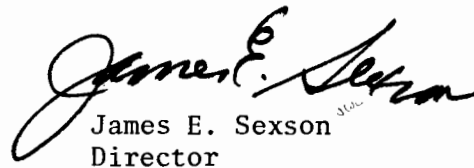
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, 1980.

It is FURTHER ORDERED that the certificate of water right recorded at page 22564, Volume 16, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; 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 27th day of March, 1979.


James E. Sexson
Director