

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

YAMHILL COUNTY

IN THE MATTER OF THE APPLICATION)
OF NORMAN C. RICHE FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM YAMHILL RIVER)

ORDER APPROVING
TRANSFER NO. 3193

On April 4, 1975, an application was filed in the office of the Water Resources Director by Norman C. Riche for approval of a change in point of diversion from Yamhill River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 22528, Volume 16, State Record of Water Right Certificates, in the name of Marvin D. Williams, describes a right for the use of not to exceed 0.88 cubic foot per second from Yamhill River for irrigation of 0.7 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 30.1 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 26.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 12.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 4 South, Range 4 West, W.M., all as projected within A. Watt D.L.C. No. 78, with a date of priority of April 30, 1952.

The certificate recorded at page 24465, Volume 17, State Record of Water Right Certificates, in the name of Marvin D. Williams, describes a right for the use of not to exceed 0.33 cubic foot per second from Yamhill River for irrigation of 8.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 4.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 3.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 11.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 4 South, Range 4 West, W.M., all as projected within A. Watt D.L.C. No. 78, with a date of priority of February 27, 1957.

The authorized point of diversion of record for said rights is located 340 feet South and 850 feet East from the Northwest Corner of A. Watt D.L.C. No. 78, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, Township 4 South, Range 4 West, W.M.

The applicant herein proposes to change the point of diversion therefrom, without loss of priority, to a point located 1590 feet East from the Northwest Corner of A. Watt D.L.C. No. 78, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, Township 4 South, Range 4 West, W.M.

Mr. Robert D. Geisler, Assistant 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 available at the old point of diversion under the subject rights, and shall not exceed 1.21 cubic foot per second.

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:

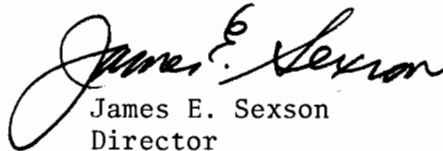
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 NO time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that the certificates of water right recorded at page 22528, Volume 16 and page 24465, Volume 17, State Record of Water Right Certificates, are 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, confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 27th day of July, 1978.


James E. Sexson
Director