

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Polk County

IN THE MATTER OF THE APPLICATION )  
OF INTERNATIONAL PAPER COMPANY )  
FOR APPROVAL OF A CHANGE IN POINT )  
OF DIVERSION AND USE OF WATER FROM )  
ROCK CREEK )  
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ORDER APPROVING  
TRANSFER NO. 3379

On March 25, 1976, International Paper Company filed an application in the office of the Water Resources Director for the approval of a change in use and point of diversion from Rock Creek under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right recorded at Page 15613, Volume 13, State Record of Water Right Certificates, in the name of The Long-Bell Company, describes an existing right of record for the use of water from Rock Creek for supplying a log pond in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 13, Township 6 South, Range 8 West, W.M., with a date of priority of September 22, 1943.

Water for the said right is diverted from a point located South 43 Degrees 14 Minutes East, 1044.0 feet from the Northwest corner of Section 13, being within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 13, Township 6 South, Range 8 West, W.M.

The applicant herein, owner of the lands above described, and the said water right appurtenant thereto, proposes to change, without loss of priority, the point of diversion and the use heretofore made of the water under said right in favor of quasi-municipal use within the service area of the Grand Ronde Community Water Association, listed as follows:

<u>Township</u>	<u>Range</u>	<u>Section</u>
5S	8W	25, 29, 30, 32, 33, 34, 35 & 36
5S	7W	27, 28, 30, 31, 32, 33, 34, 35 & 36
5S	6W	W $\frac{1}{2}$ Section 30, All of Section 31

Township	Range	Section
6S	8W	All of Section 1, 3, 2, the Northerly 3/4 of Sections 4 & 5, the NE of the NE, the SE of the NE and the NE of the SE of Section 6 and all of Section 10, 11, 12, 13, 14 & 15.
6S	7W	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 26, 27 & 28
6S	6W	W $\frac{1}{4}$ of Section 5 & 8, all of Sections 6, 7, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 32, 33, and 34.

and to divert 0.30 cubic foot per second at a point located 591 feet North and 32 feet West from the Southwest corner of Section 33, Township 6 South, Range 8 West, W.M., for said use.

Data submitted in support of the subject application establishes that 0.30 cubic foot per second was the extent of use made under the subject right for the past many years.

Notice of the application, pursuant to ORS 540.510 was published in the Itemizer-Observer, a newspaper printed and having general circulation in Polk County, Oregon, for a period of three weeks in the issues of February 23 and March 2 and 9, 1977.

Mr. Benjamin E. Monroe, Watermaster, has filed a statement to the effect that the proposed changes in point of diversion and use heretofore made may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed changes in point of diversion and use heretofore made may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested changes in point of diversion and use heretofore made 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 right, and shall not exceed 0.30 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 head-gates and measuring devices:

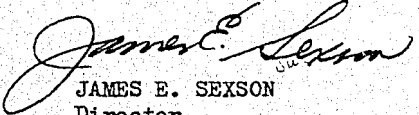
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 and said water so transferred shall be applied to beneficial use on or before October 1, 1980.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Long-Bell Lumber Company and recorded at Page 15613, Volume 13, 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 29th day of April, 1977.

  
JAMES E. SEXSON  
Director