

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASHINGTON COUNTY

IN THE MATTER OF THE APPLICATION OF)
CARL C. JORGENSEN FOR APPROVAL OF)
CHANGES IN PLACE OF USE & POINT OF)
DIVERSION OF WATER FROM EILER CREEK)

ORDER APPROVING
TRANSFER NO. 4327

On November 19, 1979, an application was filed in the office of the Water Resources Director by Carl C. Jorgensen for approval of changes in place of use and point of diversion of water from Eiler Creek, pursuant to the provisions of ORS 540.0510 to 540.530.

The certificate recorded at page 22913, Volume 16, State Record of Water Right Certificates, in the name of Jake Van Loo, describes a right for the use of not to exceed 0.13 cubic foot per second from Eiler (Iler) Creek for irrigation of a certain 9.7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 0.3 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 1 North, Range 4 West, W.M., with a date of priority of DEcember 19, 1949.

Water for said right is diverted from a point located 625 feet North and 825 feet West from the East Quarter Corner of Section 7, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 1 North, Range 4 West, W.M.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 5.1 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 4.9 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, from a point located 850 feet North and 1250 feet West from the East Quarter Corner of Section 7, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 1 North, Range 4 West, W.M.

Mr. Clayton Gardner, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in place of use and 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 changes in place of use and point of diversion, as described herein, without loss of priority, are 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.

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:

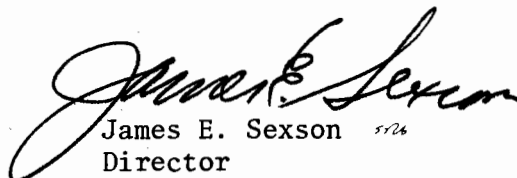
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 and that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that the certificate recorded at page 22913, Volume 16, 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 14th day of February, 1980.


James E. Sexson
Director