

STATUS OF APPLICATION

Change in Point of Diversion
 Date filed September 7, 1971
 Date of hearing _____
 Place of hearing _____
 Date of order 12-22-71 Vol. 21, page 376
 Date for application of water 10-1-72
 Proof mailed _____
 Proof received _____
 Certificate issued MAY 24 1977 Vol. 36, page 44405

Survey 1/25/72

REMARKS

DESCRIPTION OF WATER RIGHT

Name of stream unnamed slough
 Trib. of — County of Lane
 Use Irrigation
 Quantity of water 1.01 cfs No. of acres 80⁹
 Name of ditch —
 Date of priority November 13, 1957
 In name of Edgar E. Soultis
 _____ Adjudication, Vol. _____, page _____
 App. No. 31970 Per. No. 25212 Cert. No. 30674
 Certificate cancelled _____
 Notation made on record by slu

FEES PAID

Date	Amount	Receipt No.
<u>9-7-71</u>	<u>25.00</u>	<u>25385</u>
TOTAL . . .		
<u>4-29-77</u>	<u>\$1²</u> Cert. Fee	<u>60087</u>

FEES REFUNDED

Date	Amount	Check No.

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
<input checked="" type="checkbox"/>	Name		<u>slu</u>	<u> </u>
<input checked="" type="checkbox"/>	Stream		<u>slu</u>	<u> </u>
<input checked="" type="checkbox"/>	Pt. of Div.		<u>slu</u>	<u> </u>
<input checked="" type="checkbox"/>	Calendar		<u>slu</u>	<u> </u>
CHECKED TO RECORDS:				
<input checked="" type="checkbox"/>	Twp. & Rge.		<u>slu</u>	<u> </u>
<input type="checkbox"/>	Decree-vault		<u> </u>	<u> </u>
<input type="checkbox"/>	Decree-safe		<u> </u>	<u> </u>
<input checked="" type="checkbox"/>	Cert. of W/R		<u>slu</u>	<u> </u>
<input checked="" type="checkbox"/>	Per. Folder		<u>slu</u>	<u> </u>
<input type="checkbox"/>	Chainindex		<u> </u>	<u> </u>
<input type="checkbox"/>	Cross Ref.		<u> </u>	<u> </u>
<input type="checkbox"/>	Power Claim		<u> </u>	<u> </u>
<input type="checkbox"/>	Abstracts		<u> </u>	<u> </u>

cwt 2

BEFORE THE STATE ENGINEER OF OREGON

Lane County

IN THE MATTER OF THE APPLICATION)
OF E. E. SOULTS FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM AN UNNAMED SLOUGH)

ORDER APPROVING
TRANSFER NO. 2567

On September 7, 1971, E. E. Soultis filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from an unnamed slough, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Edgar E. Soultis and recorded at page 30674, Volume 22, State Record of Water Right Certificates, confirms a right to the use of not to exceed 1.01 cubic feet per second of water from an unnamed slough for the irrigation of 1.0 acre in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 8.3 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 27.3 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 6.7 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 8.7 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 7.7 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 0.2 acre in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, and 21.0 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, Township 19 South, Range 1 West, W.M., with a date of priority of November 13, 1957. These lands are irrigated from a point of diversion located 600 feet north and 2200 feet east from the SW corner of Morgan DLC 51 being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 19 South, Range 1 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 180 feet north and 500 feet west from the E $\frac{1}{4}$ corner of Section 8 being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, Township 19 South, Range 1 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no

intervening diversions.

Mr. Vestal R. Garner, Watermaster of District No. 2, has filed a report 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 proposed change in point of diversion of water from an unnamed slough, to-wit:

From a point located 600 feet north and 2200 feet east from the SW corner of Morgan DLC 51 being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 19 South, Range 1 West, W.M.

To a point to be located 180 feet north and 500 feet west from the E $\frac{1}{4}$ corner of Section 8 being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, Township 19 South, Range 1 West, W.M.

for the irrigation of 1.0 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 8.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 27.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 6.7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 8.7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 7.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 0.2 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$, and 21.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, Township 19 South, Range 1 West, W.M., with a date of priority of November 13, 1957, is approved.

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, 1972.

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 and shall not exceed 1.01 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 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 certificate of water right heretofore issued to Edgar E. Soultz and recorded at page 30674, Volume 22, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to E. E. Soultz confirming the change in point of diversion.

Dated at Salem, Oregon, this 22nd day of December, 1971.

/s/ CHRIS L. WHEELER
State Engineer