

2679 Lewis H. Jory
825 West 10th Ave.
Albany, Oregon 97321

2679

DVA Notification

STATUS OF APPLICATION

DESCRIPTION OF WATER RIGHT

FEES PAID

Change in Point of Diversion
Date filed July 24, 1972
Date of hearing _____
Place of hearing _____
Date of order 1-31-73 Vol. 22, page 475
Date for application of water October 1, 1973 ✓
Proof mailed _____
Proof received _____
Certificate issued FEB 4 1975 Vol. 33, page 41630
Survey 4-17-73
9-23-74 ues

Name of stream South Santiam River
Trib. of _____ County of Linn
Use Irrigation
Quantity of water _____ No. of acres 44 1/2
Name of ditch _____
Date of priority December 11, 1952
In name of James S. & Ruth E. Smith
_____ Adjudication, Vol. _____, page _____
App. No. 32018 Per. No. 25258 Cert. No. 26184
Certificate cancelled _____
Notation made on record by _____

Date	Amount	Receipt No.
<u>7-24-72</u>	<u>25.00</u>	<u>29878</u>
TOTAL . . .		
<u>9-6-74</u>	<u>50</u> \$1 Cert. Fee	<u>42809</u>

FEES REFUNDED

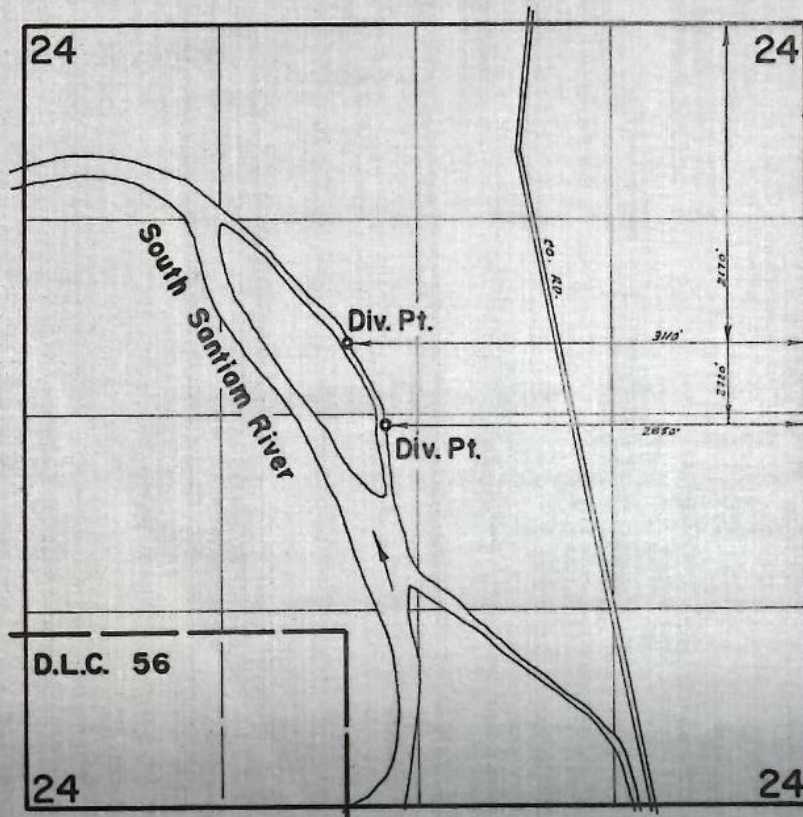
Date	Amount	Check No.

REMARKS

Assigned: Richard H. Corder - Rt. 3, Box 238, Lebanon OR 97355

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
✓	Name		<u>st</u>	
✓	Stream		<u>st</u>	
	Pt. of Div.			
	Calendar			
CHECKED TO RECORDS:				
✓	Twp. & Rge.		<u>do</u>	
	Decree-vault			
	Decree-safe			
✓	Cert. of W/R		<u>st</u>	
✓	Per. folder		<u>st</u>	
	Chainindex			
	Cross Ref.			
	Power Claim			
	Abstracts			

T.11S., R.2W., W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 2679

Application No. _____ Permit No. _____
IN NAME OF

LEWIS H. JORY

Surveyed June 18, 1973, by D. Norby

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

Lewis H. Jory

This Is to Certify, That ~~JAMES S. and RUTH E. SMITH~~

^{825 W. 10th Ave}
 of ~~Route 3, Box 78-B, Lebanon~~ ^{Albany}, State of Oregon ⁹⁷³²¹, has made proof
 to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
 South Santiam River
 a tributary of Willamette River for the purpose of
 irrigation of 44.7 acres,

under Permit No. 25258 of the State Engineer, and that said right to the use of said waters
 has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
 confirmed dates from December 11, 1957.

that the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
 0.56 cubic foot per second,

or its equivalent in case of rotation, measured at the point of diversion from the stream.
 The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 11 South, Range 2
 West, W.M. ^{& NE $\frac{1}{4}$ SE $\frac{1}{4}$}

^{2170 ft S & 3110 ft W, 2720 ft S, & 2850 ft W. Both from NE Cor. Sec 24}

The amount of water used for irrigation, together with the amount secured under any other
 right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second
 per acre, or its equivalent for each acre irrigated and shall be further limited
 to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated
 during the irrigation season of each year,

and shall
 conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is
 appurtenant, is as follows:

22.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
 8.7 acres Lot 1 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
 1.5 acres Lot 4 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)
 12.5 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 24

Township 11 South, Range 2 West, W.M.

This certificate is issued to confirm a change in Pt. of Div. approved by an order
 of the State Engineer entered Jan 31, 1973, and supersedes certificate of water
 right heretofore issued to James S & Ruth E. Smith and recorded at page 26184, Volume
18, State Record of Water Right Certificates.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
 use herein described.

WITNESS the signature of the State Engineer, affixed
 this date. AUGUST 13 1959

.....LEWIS A. STANLEY.....
 State Engineer

Recorded in State Record of Water Right Certificates, Volume 18, page 26184

BEFORE THE STATE ENGINEER OF OREGON

Linn County

IN THE MATTER OF THE APPLICATION)
OF LEWIS H. JORY FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM SOUTH SANTIAM RIVER)

ORDER APPROVING
TRANSFER NO. 2679

On July 24, 1972, Lewis H. Jory filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from South Santiam River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to James S. and Ruth E. Smith and recorded at page 26184, Volume 18, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.56 cubic foot per second of water from South Santiam River for the irrigation of 22.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 8.7 acres in Lot 1 (SE $\frac{1}{4}$ NW $\frac{1}{4}$), 1.5 acres in Lot 4 (NE $\frac{1}{4}$ SW $\frac{1}{4}$), and 12.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, Township 11 South, Range 2 West, W.M., with a date of priority of December 11, 1957. These lands are irrigated from a point of diversion located North 46° 35' West 59.09 chains from the SE corner of Section 24 being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 11 South, Range 2 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 North 78° West 50.0 chains from the E $\frac{1}{4}$ corner of Section 24 being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 11 South, Range 2 West, W.M., and a point of diversion located South 86 $\frac{1}{2}$ ° West 43.0 chains from the E $\frac{1}{4}$ corner of Section 24, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 11 South, Range 2 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. Gene McGinnis, 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 South Santiam River, to-wit:

From a point located North $46^{\circ} 35'$ West 59.09 chains from the SE corner of Section 24 being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 11 South, Range 2 West, W.M.

To a point of diversion to be located North 78° West 50.0 chains from the E $\frac{1}{2}$ corner of Section 24 being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 11 South, Range 2 West, W.M., and a point of diversion located South $86\frac{1}{2}^{\circ}$ West 43.0 chains from the E $\frac{1}{2}$ corner of Section 24 being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 11 South, Range 2 West, W.M.

for the irrigation of 22.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 8.7 acres in Lot 1 (SE $\frac{1}{4}$ NW $\frac{1}{4}$), 1.5 acres in Lot 4 (NE $\frac{1}{4}$ SW $\frac{1}{4}$), and 12.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, Township 11 South, Range 2 West, W.M., with a date of priority of December 11, 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, 1973.

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 0.56 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.

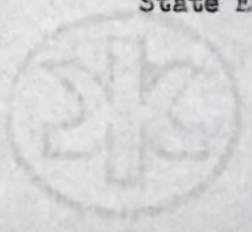
That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

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 James S. and Ruth E. Smith and recorded at page 26184, Volume 18, 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 Lewis H. Jory confirming the change in point of diversion.

Dated at Salem, Oregon, this 31st day of January, 1973.

CHRIS L. WHEELER
State Engineer



Faint, mirrored text from the reverse side of the paper is visible through the document, including "OLD COUNTRY TREE", "UNIONSKIN", and "100% COTTON FIBER".