

3479

STATUS OF APPLICATION

Change in point of diversion
 Date filed 10-5-76
 Date of hearing _____
 Place of hearing _____
 Date of order 12-20-76 Vol. 28, page 207
 Date for application of water 10-1-77
 Proof mailed AUG 19 1980
 Proof received JAN 19 1981
 Certificate issued Vol. 43, page 49801

Before cert issued
 advise of 13 Ac from
 No. 2 needs to be changed
 to Survey 1/78
 to Re survey 2/79
 10-17-80 TS

DESCRIPTION OF WATER RIGHT

Name of stream Well No 2
 Trib. of _____ County of Marion
 Use irrigation
 Quantity of water _____ No. of acres 22 ³/₄
 Name of ditch _____
 Date of priority _____
 In name of _____
 _____ Adjudication, Vol. _____, page _____
 App. No. G-3627 Per. No. G-3410 Cert. No. 39788
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>10-5-76</u>	<u>\$ 35.00</u>	<u>56324</u>
TOTAL . . .		
<u>10-5-76</u>	<u>\$ 2 Cert. Fee</u>	<u>56325</u>

FEES REFUNDED

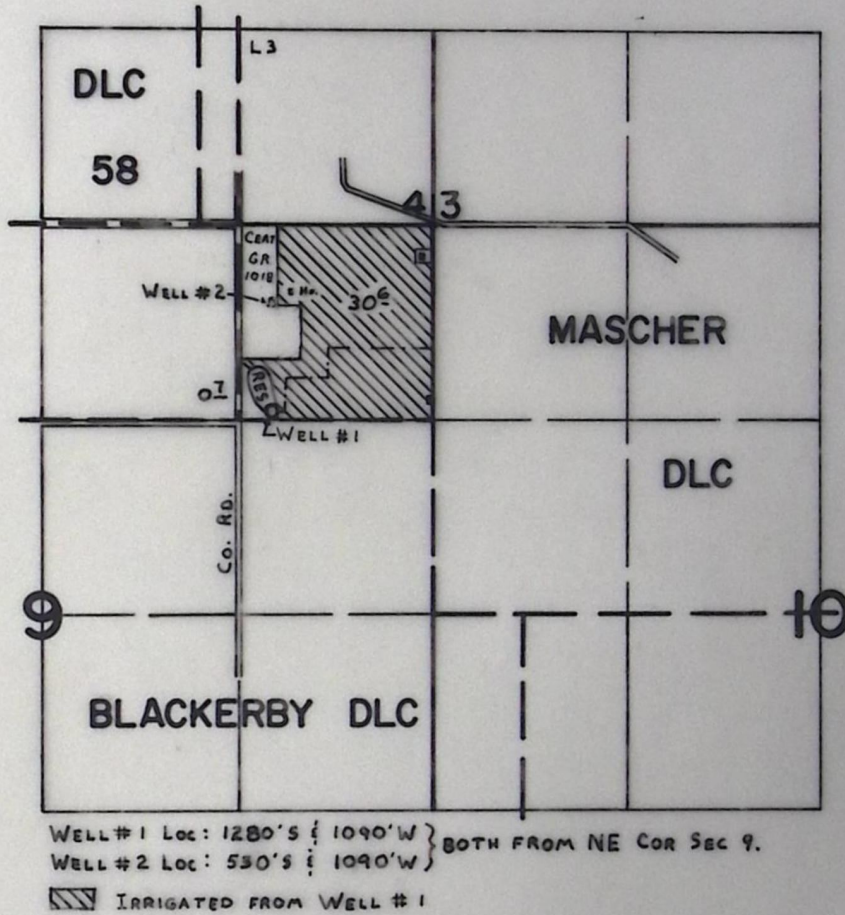
Date	Amount	Check No.

REMARKS

See files GR 1056, G-3627

INDEX CARDS:		Entered	Checked
<u>WA</u>	Name	<u>✓</u>	<u> </u>
<u>WA</u>	Stream	<u>✓</u>	<u> </u>
<u>WA</u>	Pt. of Div.	<u>✓</u>	<u> </u>
<u>WA</u>	Calendar	<u>✓</u>	<u> </u>
CHECKED TO RECORDS:			
<u>0</u>	Twp. & Rge.	<u> </u>	<u> </u>
<u> </u>	Decree-vault	<u> </u>	<u> </u>
<u> </u>	Decree-safe	<u> </u>	<u> </u>
<u>✓</u>	Cert. of W/R	<u>✓</u>	<u> </u>
<u>✓</u>	Per. Folder	<u>✓</u>	<u> </u>
<u> </u>	Chaindex	<u> </u>	<u> </u>
<u> </u>	Cross Ref.	<u> </u>	<u> </u>
<u> </u>	Power Claim	<u> </u>	<u> </u>
<u>✓</u>	Abstracts	<u>✓</u>	<u> </u>

T7S. RIW. WM.



FINAL PROOF SURVEY

UNDER

TRANSFER NO. 3479

Application No. Permit No.
IN NAME OF

OTTO B STADELI

Surveyed MAY 19 1978, by C. L. HUGHES
MAY 31 1979 L. H. NUNN

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION)
OF OTTO B. STADELI FOR THE)
APPROVAL OF A CHANGE IN POINT OF)
APPROPRIATION OF GROUND WATER)

ORDER APPROVING
TRANSFER NO. 3479

On October 5, 1976, Otto B. Stadeli filed an application in the office of the Water Resources Director for the approval of a change in point of appropriation of ground water from a certain aquifer pursuant to the provisions of ORS 537.705.

Certificate of water right recorded at Page 39788, Volume 31, State Record of Water Right Certificates, in the name of Otto B. Stadeli, describes an existing right of record for the appropriation of not to exceed 0.10 cubic foot per second from Well No. 1 and 0.27 cubic foot per second from Well No. 2 with a date of priority of August 18, 1966, for irrigation of a certain 22.3 acre tract and supplemental irrigation of certain 5.0 acre and 9.5 acre tracts (which also claim a primary right for a partial water supply from Well No. 1 under Ground Water Registration Certificate No. 1018) from Well No. 2, all within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 7 South, Range 1 West, W.M.

Well No. 1 is located 1280 feet South and 1090 feet West from the Northeast corner of Section 9, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 7 South, Range 1 West, W.M.

Well No. 2 is located 530 feet South and 1090 feet West from the Northeast corner of Section 9, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 7 South, Range 1 West, W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the point of appropriation of water from said Well No. 2 to said Well No. 1 and to appropriate from the said aquifer

by means of Well No. 1, only, the total quantity of not to exceed 0.36 cubic foot per second with a date of priority of August 18, 1966, being 0.28 cubic foot per second for irrigation of the certain 22.3 acre tract, and 0.08 cubic foot per second to provide a full supply of water for irrigation of the certain 9.5 acre tract which also receives 0.04 cubic foot per second from said Well No. 1 under the claim described by Ground Water Registration Certificate No. 1018, all within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 7 South, Range 1 West, W.M.

The applicant has submitted an affidavit to the effect that no water will be appropriated from the said aquifer under the subject water right for use on the certain 5.0 acre tract in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 9.

Mr. Keith M. Palmer, Watermaster of District No. 16, has filed a statement to the effect that the proposed change in point of appropriation may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed change in point of appropriation 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 appropriation of ground water from a certain aquifer 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.

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 on or before October 1, 1977.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Otto B. Stadeli and recorded at Page 39788, Volume 31, 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 Otto B. Stadeli.

Dated at Salem, Oregon, this 20th day of December, 1976.

/s/ JAMES E. SEXSON
Director