

3493

STATUS OF APPLICATION

Change in point of diversion
 Date filed 11-24-76
 Date of hearing _____
 Place of hearing _____
 Date of order 1-21-77 Vol. 28, page 266
 Date for application of water 10-1-78
 Proof mailed _____
 Proof received _____
 Certificate issued FEB 28 1979 Vol. 40, page 47529

Survey 3/77
OK Cert

DESCRIPTION OF WATER RIGHT

Name of stream well
 Trib. of _____ County of Marion
 Use irrigation
 Quantity of water _____ No. of acres 391
 Name of ditch _____
 Date of priority (JAN) 1-8-59
 In name of Carl H. Saschie
 _____ Adjudication, Vol. _____, page _____
 App. No. G-1339 Per. No. G-1267 Cert. No. 21796
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

| Date | Amount | Receipt No. |
|-----------------|--------------------------|--------------|
| <u>11-24-76</u> | <u>35.00</u> | <u>56980</u> |
| TOTAL . . . | | |
| <u>2-6-79</u> | <u>2.00</u> Cert. Fee | <u>8974</u> |

FEES REFUNDED

| Date | Amount | Check No. |
|------|--------|-----------|
| | | |

REMARKS

INDEX CARDS: Entered Checked

| | | | |
|-----------|---------------------|------------|--|
| <u>WA</u> | Name | <u>✓</u> | |
| <u>WA</u> | Stream | <u>✓</u> | |
| <u>WA</u> | Pt. of Div. | <u>✓</u> | |
| <u>WA</u> | Calendar | <u>✓</u> | |
| | CHECKED TO RECORDS: | | |
| <u>✓</u> | Twp. & Rge. | <u>GLS</u> | |
| | Decree-vault | | |
| | Decree-sale | | |
| <u>✓</u> | Cert. of W.R. | <u>GLS</u> | |
| | Per. Felder | | |
| | Chaindex | | |
| | Cross Ref. | | |
| | Power Claim | | |
| | Abstracts | | |

Surveyed Sept. 9 1977, by R.G. Mucken

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That *Herman M.*
7365 Meridian Road N.E. *CARL H. GOSCHIE, Trustee*
 of *Route 1, Box 335, Silverton*, State of *Oregon*, has made proof
 to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
 a well *97381*

a tributary of Pudding River
 irrigation of 39.1 acres

for the purpose of

under Permit No. *G-1267* 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 *January 8, 1959*

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
0.49 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 $\frac{1}{4}$ SW $\frac{1}{4}$* , Section 6, T. 6 S., R. 1 E., W. M.
~~Well is located 7 chains N. and $\frac{1}{2}$ chains W. from S. $\frac{1}{2}$ corner, Section 6~~
30' N $\frac{1}{2}$ 1880' E S.W.

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:

5.8 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
33.3 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 6
T. 6 S., R. 1 E., W. M.

This certificate is issued to confirm a change in point of ~~diversion~~ ^{APPROPRIATION} approved
 by an order of the WRD entered *JAN 21, 1977* and supersedes certificate of water right
 recorded on Page *31796*, Volume *23*, SRWRC.

The issuance of this superseding certificate does not confirm the status of
 the water right in reference to ORS 540.610.

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. *January 27, 1965*

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume *23*, page *31796*

T# 3493

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION }
OF HERMAN M. GOSCHIE FOR THE }
APPROVAL OF A CHANGE IN POINT OF }
APPROPRIATION OF GROUND WATER }

ORDER APPROVING
APPLICATION NO. 3493

On November 23, 1976, Herman M. Goschie 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 31796, Volume 23, State Record of Water Right Certificates, in the name of Carl H. Goschie describes an existing right of record for the use of not to exceed 0.49 cubic foot per second from a well for irrigation of a certain 5.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 33.3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 6 South, Range 1 East, W.M., with a date of priority of January 8, 1959.

Water for the said right is diverted from a well located 7 chains North and 0.5 chains West from the South quarter-corner of Section 6, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 6 South, Range 1 East, W.M.

The applicant herein, trustee for Wanda Goschie, owner of the lands above described, proposes to change, without loss of priority, the point of appropriation of water from the certain aquifer to a point located 60 feet North and 2,000 feet East from the Southwest corner of Section 6, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 6 South, Range 1 East, W.M.

Mr. Keith 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 described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of appropriation shall not exceed the quantity of water available at the old point of diversion, and shall not exceed 0.49 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 appropriation of water made on or before October 1, 1978.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Carl H. Goschie and recorded at Page 31796, Volume 23, 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 Herman M. Goschie, Trustee.

Dated at Salem, Oregon, this 21st day of January, 1977.

/s/ JAMES E. SEXSON
Director