

REN

3552

STATUS OF APPLICATION

Change in add'l point of diversion
 Date filed 2-28-77
 Date of hearing _____
 Place of hearing _____
 Date of order 4-20-77 Vol. 28, page 482
 Date for application of water 10-1-78
 Proof mailed _____
 Proof received _____
 Certificate issued NOV 28 1977 Vol. 31, page 144980
APR 30 1979 47945
8-1-79 Jan

DESCRIPTION OF WATER RIGHT

Name of stream Unnamed Channel N.E. Santiam R.
 Trib. of _____ County of Marion
 Use irrigation
 Quantity of water _____ No. of acres 13 1/4
 Name of ditch _____
 Date of priority _____
 In name of _____
 _____ Adjudication, Vol. _____, page _____
 App. No. 27362 Per. No. 21543 Cert. No. 27569
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>2/28/77</u>	<u>11.35.00</u>	<u>58590</u>
TOTAL . . .		
<u>4-8-77</u>	<u>#2 Cert. Fee</u>	<u>59595</u>
<u>4-9-79</u>	<u>2.00</u>	<u>10119</u>

FEEES REFUNDED

Date	Amount	Check No.

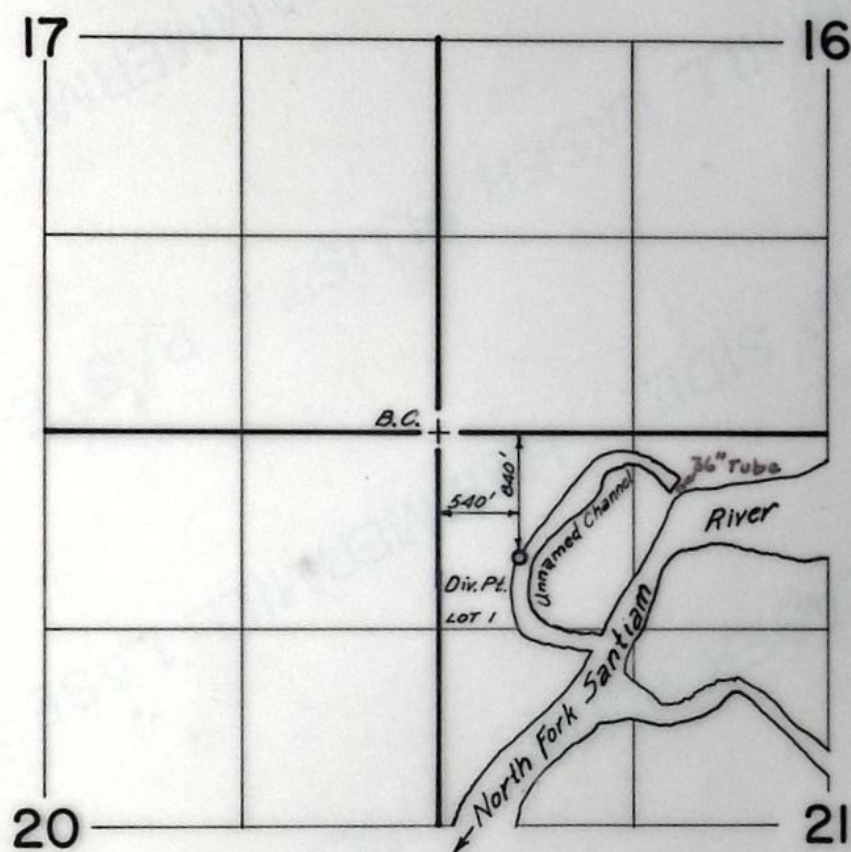
REMARKS

SEE T-4429 & T-5271

W.R.I.S.
 Assembled 7-9-85 by SEA
 Entered _____ by _____
 Verified _____ by _____

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

T. 9S., R. 1W., W.M.



**FINAL PROOF SURVEY
UNDER**

TRANSFER NO. 3552
Application No. Permit No.
IN NAME OF

Warren S. Gray

Surveyed Sept. 14, 1977, by B. Sund

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ERNEST H. LAFKY

of West Stayton, 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 Unnamed channel of North Fork Santiam River a tributary of North Santiam River for the purpose of irrigation of ~~75.8~~ acres, 62.4

under Permit No. 21543 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 June 20, 1952

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 ~~0.95~~ cubic foot per second, 0.78

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 20, Township 9 South, Range 1 West, W.M.

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:

~~T#3562~~
32.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
30.4 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 20

~~13.4 acres Lot 1 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) - 13⁴ - 0.17 cfs
Section 21~~

Township 9 South, Range 1 West, W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 27569, Volume 19, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on April 20, 1977, approving transfer application No. 3552.

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

WITNESS the signature of the State Engineer, affixed

this date. SEPTEMBER 23 1960

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 19, page 27569

cert 44990
T#3552

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION)
OF WARREN S. GRAY FOR APPROVAL OF)
A CHANGE IN POINT OF DIVERSION OF)
WATER FROM AN UNNAMED CHANNEL OF)
NORTH FORK SANTIAM RIVER)

ORDER APPROVING
TRANSFER NO. 3552

On February 28, 1977, Warren S. Gray filed an application in the office of the Water Resources Director for approval of a change in point of diversion under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at Page 27569, Volume 19, State Record of Water Right Certificates, in the name of Ernest H. Lafky, describes a right which includes the use of not to exceed 0.17 cubic foot per second from an unnamed channel of North Fork Santiam River for irrigation of 13.4 acres in Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 21, Township 9 South, Range 1 West, W.M., with a date of priority of June 20, 1952.

Water for the said right is diverted from a point located 630 feet South and 50 feet West from the Northwest corner of Section 21, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, Township 9 South, Range 1 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion, without loss of priority, to a point located 800 feet South and 480 feet East from the Northwest corner of Section 21, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 9 South, Range 1 West, W.M.

Mr. Keith M. Palmer, Watermaster, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objection 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 requested change in point of diversion 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 under the subject right, and shall not exceed 0.17 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 the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1978.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Ernest H. Lafky and recorded at Page 27569, Volume 19, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the right not involved in this proceeding, 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 20th day of April, 1977.

/s/ JAMES E. SEXSON
Director