

4424 Gray

Name Warren S. Gray

4424

DESCRIPTION OF WATER RIGHT

By _____

Address 12496 Dieckman Lane
Aumsville, OR 97325Change in PODDate filed March 7, 1980

Date of hearing _____

Place of hearing _____

Date of order 4-29-80 Vol. 33, page 163Date for application of water 10-1-81 ^{Ext} 10-1-82

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

Name of stream North Fork Santiam RiverTrib. of _____ County of MarionUse irrigationQuantity of water _____ No. of acres 13 1/2

Name of ditch _____

Date of priority June 29, 1952

In name of _____

Adjudication, Vol. _____, page _____

App. No. 27362 ⁵⁰²⁶ Per. No. 21543 Cert. No. 47945 ⁵⁰²⁶

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-7-80</u>	<u>35.00</u>	<u>16421</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Card for CNDW 20 1981

Superseded by T-5271 ; prior transfer T-3552

W.R.I.S.

Assembled 2-11-85 by SRA

Entered _____ by _____

Verified _____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
☒	Name		<u>5026</u>	
☒	Stream		<u>5026</u>	
☒	Pt. of Div.		<u>Qj</u>	
☒	Calendar		<u>Qj</u>	
☐	CHECKED TO RECORDS			
☐	Twp. & Rge.		<u>5026</u>	
☐	Deed-vault			
☐	Deed-safe			
☒	Cert. of W/R		<u>SRA</u>	
☒	Per. Folder		<u>SRA</u>	
☐	Chaindex			
☐	Cross Ref.			
☒	Power Claim		<u>Qj</u>	
☐	Abstracts			

375

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)

ORDER APPROVING
TRANSFER 5271

On May 27, 1983, an application was filed in the office of the Water Resources Director by Warren S. Gray for approval of a change in point of diversion from North Santiam River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 47945, Volume 41, State Record of Water Right Certificates, in the name of Warren S. Gray, describes a right for the use of not to exceed 0.17 cubic foot per second from North Fork Santiam River for irrigation of a certain 13.4 acres in Lot 1 (NW 1/4 NW 1/4) of Section 21, Township 9 South, Range 1 West, WM, with a date of priority of June 20, 1952.

The point of diversion for said right as authorized by Transfer 4424 is located 1320 feet South and 1082 feet East from the Northwest Corner of Section 21, being within the NW 1/4 NW 1/4 of Section 21, Township 9 South, Range 1 West, WM.

The applicant herein, owner of the lands above described, proposes to change the point of diversion to a point located 840 feet South and 540 feet East from the Northwest Corner of Section 21, being within the NW 1/4 NW 1/4 (Lot 1) of Section 21, Township 9 South, Range 1 West, WM, and being the original point of diversion. The change in point of diversion is reported to be completed.

Clifton R. King, 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 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 is approved, without loss of priority.

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.

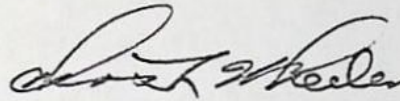
It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

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 order of the Water Resources Director approving Transfer 4424 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 the applicant herein.

Dated at Salem, Oregon this 20th day of July, 1983.



CHRIS L. WHEELER
Deputy Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

7471B

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)

ORDER APPROVING
TRANSFER NO. 4424

On March 7, 1980, an application was filed in the office of the Water Resources Director by Warren S. Gray for approval of a change in point of diversion from North Santiam River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 47945, Volume 41, State Record of Water Right Certificates, in the name of Warren S. Gray, describes a right for the use of not to exceed 0.17 cubic foot per second from North Fork Santiam River for irrigation of a certain 13.4 acres in Lot 1 (NW 1/4 NW 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 840 feet South and 540 feet East from the Northwest Corner of Section 21, being within the NW 1/4 NW 1/4 (Lot 1) of Section 21, 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 1320 feet South and 1082 feet East from the Northwest Corner of Section 21, being within the NW 1/4 NW 1/4 of Section 21, Township 9 South, Range 1 West, W.M.

Mr. Clifton R. King, 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 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 requested change in point of diversion, as 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.

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:

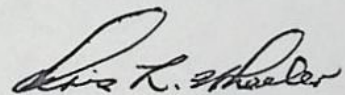
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, 1981.

It is FURTHER ORDERED that the certificate recorded at page 47945, Volume 41, 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 the applicant herein.

Dated at Salem, Oregon this 29th day of April, 1980.



JAMES E. SEXSON

Director

by CHRIS L. WHEELER

Deputy Director

POD
POU
USE
Add'l POD

County Marion

1. Name Warren S. Gray
Address 12496 Dieckman Lane, Aumsville, OR 97325

6. Proposed Point of Diversion 1320' S & 1082' E from NW Cor,
S 21, w/in NW¼ NW¼, S 21, T9S, R 1W, Wm

8. Place of Use:

[illegible]

N. SANDHAM R.

WFT-0982-01

*** OREGON WATER RESOURCES DEPARTMENT ***
 *** WATER RIGHTS DIVISION ***
 *** WATER RIGHT DATA INPUT FORM ***

PAGE 1
 RUN ON: 3/20/81 AT: 9:08

WATER RIGHT NO. T000044241 PERMIT NO. 021543 CERTIF. NO.
 ORIG. NO. A000273621 PREV. NO. T000035521 SUPER. NO. T000052711

NAME: WARREN S. GRAY
 ADDRESS: 12496 DIECKMAN LANE
 CITY/STATE/ZIP/COUNTY: AUMSVILLE, OR 97325

24

STREAM-ID 02 1190 1170 0090

RIV. MI.

WM. DIST. 16 W.R. TYPE SA STATUS V

CANCEL YEAR----	CONSTR. COMPLT--> 10 01 1982	YR. LAST USED----->	---	NEXT ACTION DUE-->	---
PRIORITY-----> 06 20 1952	PUT TO USE-----> 10 01 1982	LAST TRANS. DATE-->	---	LAST TRANS. TYPE-->	---
APPLICATION----> 03 07 1980	SURVEYED----->	EXAM. FEE----->	20.00	RECORDING FEE----->	15.00
PERMIT ISSUE--> 04 29 1980	CONCURRENCE----->	CYCLE STATUS----->	---	REPORTED FLAG----->	---
CONSTR. STRT.--> 04 29 1980	CERTIFIED----->	CORRES. INIT.----->	---	CORRES. DATE----->	---

POINT-OF-DIVERSION DATA:
 TWP/SP RNGE SECT QTR/QTR STREAM-ID

RIV. MI. RATE

STATUS S OR P

** REMARKS; - - - - -
 ** DATED-->

0905 010W 21 B B 02 1190 1170 0090

0.170

V

P

** POP! 1320'S & 1082'E FM NW
 ** COR 3 21. CHANGES POP
 ** C-47945.

PLACE-OF-USE DATA:

TWP/SP RNGE SECT QTR/QTR CNTY USE % CHSMTV ACRES STATUS S OR P

**-----
 **-----
 **-----
 **-----

0905 010W 21 B B 24 1R 100 13,40 V P

W.D.S.

APPROVED 2-17-85 L.S.OX
 EXAMINED _____
 VERIFIED _____

T-4424
Even 20
POD 15
35

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Warren S. Gray (Name of applicant)
of 12496 Dieckman Lane (Mailing address), Aumsville (City),
State of Oregon, 97325 (Zip Code), 769-3326 (Phone number), do hereby make application for change
in point of diversion
(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? yes no; recorded in name of Ernest H. Hafky
(If not, give name)

2. Was your water right determined by Decree of Court? no If so, give title of proceedings
(Yes or No) number of certificate

3. Was your water right acquired by Water Right Permit? yes If so, give number
(Yes or No) of permit 21543 Number of certificate 47945

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is unnamed channel, N. Fork Santiam River

5. What is the date of priority of your water right? June 20, 1952

6. The authorized point of diversion is located 540 ft. S and 540 ft. E from the N.W.
(N. or S.) (E. or W.)
corner of Sec. 21, T9S, R14W being within the NW¹/₄ NW¹/₄ of Section 21 Tp. 9S R. 1W W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Marion The name of the ditch used is old channel, N. Santiam R.

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located 1320 ft. S and 1052⁺ ft. E from the N.W.
(N. or S.) (E. or W.)
corner of Sec. 21 being within the NW¹/₄ NW¹/₄ of Section 21 Tp. 9S R. 1W W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Marion The name of the ditch to be used is N. Fork Santiam River

8. The use to which the water is applied is irrigation
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
95	R1W	21	N.W $\frac{1}{4}$ of the N.W $\frac{1}{4}$ (Lot 1)	13.4

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? yes
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? no
(Yes or No)

^{N/A}
NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? N/A
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are siltation of unnamed^{old} channel and stream-bed changes in N. Santiam R. do not provide adequate supplies of water for such crops as sweet corn or peppermint (high water use crops) during late July to early Sept. irrigation season.

15. Construction work will be completed on or before May 31 1980

16. The water will be completely applied to the proposed use on or before June 10 1980

Remarks

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

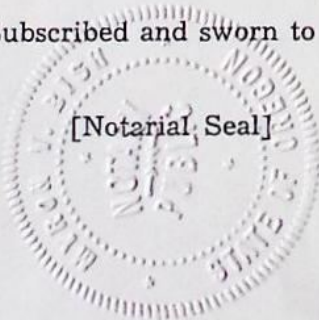
AFFIDAVIT OF APPLICANT

I, Warren S. Gray, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 7th day of March, 1980.

Warren S. Gray
(Name of applicant)

Subscribed and sworn to before me this 7th day of March, 1980.



[Notarial Seal]

Fryman & Bill
NOTARY PUBLIC FOR OREGON

My commission expires Nov. 9, 1980

Application No. 4424

Application for Extension of Time for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Warren S. Gray (Name of applicant)
of 12496 Dieckman Ln (Mailing address), Aumsville (City),
State of Oregon, 97325 (Zip Code), 769-3326 (Phone number),

do hereby make application for an extension of time within which to complete

a change in: ☒ point of diversion

☐ place of use

☐ use heretofore made of water

under the terms of an order of the Water Resources Director entered on

_____, 19____, approving transfer application No. 4424,

in the name of Warren S. Gray *.

The following has been accomplished toward completion of the

change within the time allowed, which expired on Oct. 1, 1981:

I have contacted Pacific Power & Light Co. and conferred with their engineer. He has seen the site and given me two (2) alternative construction options. I have set stakes and cleared their right-of-way.
(If for irrigation, how many acres, total, are now irrigated)
approx. 13.5 Acres

*If you are not the applicant named above, please explain your interest in

this matter. N/A

Ext to 10-1-82
SRA

2-16-82

\$20.00

#29597

To fully complete the change, it will be necessary to accomplish the following: set three (3) power poles and one (1) service pole. Move the meter and control switch box. String 2 1/2 spans of wire. Set 2 guy-wires.

I am unable to complete the change under the terms of the order, within the time allowed, because shortage and extreme cost of money.

and request that the time for completion be extended to Oct. 31, 1982.

AFFIDAVIT OF APPLICANT

I, Warren S Gray, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 16 day of Feb

....., 1982

Warren S Gray

Subscribed and sworn to before me this day of, 19.....

[Notarial Seal]

Notary Public for Oregon

My commission expires

MAIL COMPLETED APPLICATION AND FEE IN THE AMOUNT OF \$20.00

TO:

Water Resources Department
MILL CREEK OFFICE PARK
555 13th STREET N.E.
SALEM, OREGON 97310



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: March 13, 1980.FROM: ** Clifton R. King, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4424IN THE NAME OF Warren S. Gray

In my opinion the proposed change in POD from N. Fk. Santaim River
MAY BE MADE WITHOUT INJURY ~~WOULD RESULT IN INJURY~~* to an existing water right.

Headgate notices ~~HAVE~~ HAVE NOT been issued for diversion from the sources which
serves this right.

If for change in point of diversion, is there any intervening point of diversion
between the authorized and the proposed points of diversion? NO
(yes or no)

In my opinion, the order approving the subject transfer application should include
the following in regard to the appropriator installing suitable measuring devices
in the diversion works:

- (1) PRIOR to the diverting of water at the new point of diversion . . .
✓ (2) When in the judgment of the watermaster it becomes necessary . . .

* The approval of this transfer application would result in injury to other water
rights because _____

**

Clifton R. King
Watermaster's signature or initials