

**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

In the Matter of Transfer Application            )    SUPERSEDING FINAL ORDER  
T-6880, Benton County                            )    APPROVING AN ADDITIONAL POINT  
  )    OF APPROPRIATION

**Authority**

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

SAM CROCKER, CROCKER FARMS  
27118 HUBBARD RD  
MONROE, OR 97456

**Findings of Fact**

**Background**

1. On January 15, 1993, SAM CROCKER, CROCKER FARMS filed an additional point of appropriation under Certificate 38200. The Department assigned the application number T-6880.

2. The portion of the right to be transferred is as follows:

**Certificate:** 38200 in the name of KEITH CROCKER (perfected under Permit G-2591)  
**Use:** IRRIGATION of 67.3 ACRES  
**Priority Date:** JANUARY 15, 1964  
**Rate:** 0.38 CUBIC FOOT PER SECOND  
**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.  
**Source:** WELL #2 within the LONG TOM RIVER BASIN

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
14 S	5 W	WM	15	NE NW	44	WELL 2: 1130 FEET NORTH AND 1100 FEET WEST FROM THE SE CORNER OF THE RICHARDSON DLC 44

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
14 S	5 W	WM	15	NW NE	44	9.1
14 S	5 W	WM	15	SW NE	44	5.0
14 S	5 W	WM	15	NE NW	44	22.8
14 S	5 W	WM	15	NW NW	44	7.7
14 S	5 W	WM	15	SW NW	44	5.2
14 S	5 W	WM	15	SE NW	44	17.5
TOTAL						67.3

- Transfer Application T-6880 proposes an additional point of appropriation approximately 1080 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	5 W	WM	10	SE SW	WELL 1: 2180 FEET NORTH & 1149 FEET WEST FROM SE CORNER, DLC 44

- The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.
- On June 10, 1996, the Department issued a Final Order for the transfer, recorded at Special Order Volume 50, Pages 315 to 316. Following issuance of the order the Department recognized a scrivener’s error in rate and the measured distance of Well 2.
- This order is issued to supersede the previous order recorded at Special Order Volume 50, Pages 315 to 316, and to correct the scrivener’s error.

**Determination and Proposed Action**

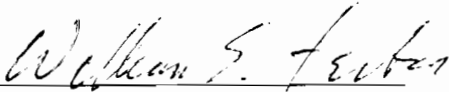
The additional point of appropriation proposed in Transfer Application T-6880 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the scrivener’s error in Special Order Volume 50, Pages 315 to 316 should be corrected in the record.

**Now, therefore, it is ORDERED:**

- The order entered at Special Order Volume 50, Pages 315 to 316 is withdrawn and of no further force and effect and is superseded by this order.
- The proposed change should have been completed on or before October 1, 1997.

3. The quantity of water diverted at the new point of appropriation (well), together with that diverted at the original point of appropriation, shall not exceed the quantity of water available from the original point of appropriation.
4. When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
5. The new well shall be constructed so that it takes water only from the same aquifer as that of the original well.
6. Certificate 38200 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

Dated at Salem, Oregon this 27<sup>th</sup> day of October 2010.



Dwight French for

for PHILLIP C. WARD, DIRECTOR