

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION)
OF ELMER L. COOK FOR APPROVAL OF) ORDER APPROVING
AN ADDITIONAL POINT OF APPROPRIATION) TRANSFER 5618
OF WATER)

On April 18, 1985, an application was filed in the office of the Water Resources Director by Elmer L. Cook for approval of an additional point of appropriation of water from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 41791, Volume 33, State Record of Water Right Certificates, in the name of Elmer L. Cook, describes a right which includes the use of not to exceed 0.16 cubic foot per second from ground water for irrigation of 12.8 acres in NW 1/4 NE 1/4, Section 33, Township 9 South, Range 3 West, WM, with a date of priority of July 5, 1963.

The authorized point of appropriation is located 3340 feet South and 1390 feet West from the Northeast Corner of DLC 56, being within the NW 1/4 NE 1/4 of Section 33, Township 9 South, Range 3 West, WM (Well 1).

The applicant herein, owner of the lands above described, proposes to establish Well 2 as an additional point of appropriation. Well 2 is located 1970 feet North and 2000 feet West from the Southeast Corner of DLC 56, being within the NW 1/4 NE 1/4 of Section 33, Township 9 South, Range 3 West, WM. The additional point of appropriation is reported to be completed.

Clifton R. King, Watermaster, has filed a statement to the effect that the proposed additional point of appropriation may be made without injury to existing rights.

Kenneth E. Lite, Jr., Hydrogeologist, has filed a statement to the effect that the proposed additional point of appropriation may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed additional point of appropriation may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed additional point of appropriation is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water appropriated at the new well, together with that appropriated at the old well, shall not exceed the quantity of water available at the old well under the subject right, and shall not exceed 0.16 cubic foot per second.

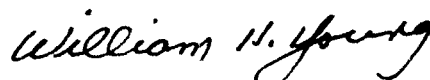
It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install measuring devices:

That the pump system shall include an in-line flow meter 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 measuring device be installed under the general supervision of said Watermaster.

It is FURTHER ORDERED that 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, the certificate of water right heretofore issued to Elmer L. Cook and recorded at page 41791, Volume 33, State Record of Water Right Certificates, be canceled; and lieu thereof a new certificate of water right be issued to the applicant confirming the change authorized herein and covering the balance of the right NOT involved in this proceeding, and NOT canceled by order entered May 13, 1985, at page 180, Volume 39, Special Order Record.

Dated at Salem, Oregon, this 13th day of May, 1985.



WILLIAM H. YOUNG
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.

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