

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
WASCO COUNTY

IN THE MATTER OF THE APPLICATION OF )  
MERLE M. HENKLE FOR APPROVAL OF A ) ORDER APPROVING  
CHANGE IN USE HERETOFORE MADE OF ) TRANSFER 5429  
WATER )

On January 13, 1984, an application was filed in the office of the Water Resources Director by Merle M. Henkle for approval of a change in use heretofore made of water from an unnamed spring, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 27290, Volume 19, State Record of Water Right Certificates, in the name of The Dalles Concrete Products Company, describes a right for the use not to exceed 0.50 cubic foot per second from an unnamed spring, for manufacturing use in Lot 2 (NW 1/4 SW 1/4), Section 16, Township 2 North, Range 13 East, WM, with a date of priority of November 23, 1956.

Water for the said right is diverted from a point located 2190 feet North and 320 feet West from the Southeast Corner of Section 17, being within the NE 1/4 SE 1/4 of Section 17, Township 2 North, Range 13 East, WM.

The applicant herein, owner of the lands above described, proposes to change the use heretofore made therefrom, to irrigation of 3.1 acres in NW 1/4 SW 1/4, Section 16; 2.9 acres in NE 1/4 SE 1/4, Section 17, and maintenance of a fish pond within the NE 1/4 SE 1/4 of Section 16, all in Township 2 North, Range 13 East, WM (Dale W. Jones).

Notice of the application, pursuant to ORS 540.520(2), was published in The Dalles Chronicle, a newspaper printed and having general circulation in Wasco County, Oregon, for a period of three weeks in the issues of February 1, 8 and 15, 1984.

Thomas J. Paul, Watermaster, has filed a statement to the effect that the proposed change in use heretofore made may be without injury to existing rights.

No objections having been filed and it appearing that the proposed change in use heretofore made may be without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in use heretofore made is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water used for the proposed purposes shall not exceed 0.50 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 headgates and measuring devices:

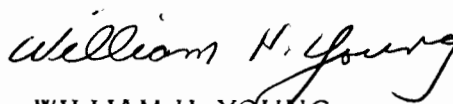
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 water used for the proposed purposes on or before October 1, 1985.

It is FURTHER ORDERED that the certificate recorded at page 27290, Volume 19, 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 Dale W. Jones.

Dated at Salem, Oregon this 16th day of March, 1984.

  
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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