

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION OF)
JAMES J. SCHLECTER FOR APPROVAL OF)
A CHANGE IN POINT OF APPROPRIATION)
OF WATER)

ORDER APPROVING
TRANSFER 5018

On April 19, 1982, an application was filed in the office of the Water Resources Director by James J. Schlecter for approval of a change in point of appropriation of water from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 38265, Volume 30, State Record of Water Right Certificates, in the names of Charles and James Schlecter, describes a right for the use of not to exceed 0.14 cubic foot per second from ground water for irrigation of 3.6 acres in SW 1/4 SW 1/4, as projected within Benet DLC 58, Section 2 and 8.05 acres in NW 1/4 NW 1/4, as projected within Benet DLC 58, Section 11, Township 6 South, Range 2 West, WM, with a date of priority of August 16, 1966.

The authorized point of appropriation is located 80 feet South and 870 feet East from the Northwest Corner of Section 11, being within the NW 1/4 NW 1/4 of Section 11, Township 6 South, Range 2 West, WM.

The applicant herein, contract buyer of the lands above described, proposes to change the point of appropriation therefrom, without loss of priority, to a well located South 76^o East, 750 feet from the Northwest Corner of Section 11, being within the NW 1/4 NW 1/4 of Section 11, Township 6 South, Range 2 West, WM.

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

Lauren S. Forcella, Hydrogeologist, has filed a statement to the effect that the proposed change in point of appropriation may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of appropriation 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 appropriation, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water appropriated at the new well shall not exceed the quantity of water available at the old well under the subject right, and shall not exceed 0.14 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 NO time need be fixed for completion as the change in point of appropriation is completed.

It is FURTHER ORDERED that the certificate recorded at page 38265, Volume 30, 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 8th day of June, 1982.


JAMES E. SEXSON
Director ^{5/84}

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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