

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

IN THE MATTER OF THE APPLICATION OF)
DIEGO LEON FOR APPROVAL OF A CHANGE) ORDER APPROVING
IN POINT OF APPROPRIATION OF WATER) TRANSFER 6031

On November 20, 1987, an application was filed in the office of the Water Resources Director by Diego Leon 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 20801, Volume 15, State Record of Water Right Certificates, in the name of Charles C. Brooks, describes a right for the use of not to exceed 0.235 cubic foot per second from ground water for irrigation of a certain 18.8 acres in the NW1/4SE1/4 of Section 7, Township 2 North, Range 12 East, W.M., with a date of priority of March 25, 1947.

The authorized point of appropriation is located 1125 feet South and 3470 feet East from the West Quarter Corner of Section 7, being within NW1/4SE1/4 of Section 7, Township 2 North, Range 12 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of appropriation therefrom to a point located 900 feet South and 3300 feet East from the West Quarter Corner of Section 7, being within the NW1/4SE1/4 of Section 7, Township 2 North, Range 12 East, W.M.

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

Kenneth E. Lite, Hydrogeologist, has filed a statement 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 is hereby ORDERED that the proposed change in point of appropriation is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water appropriated at the new well, shall not exceed 0.235 cubic feet per second and shall not exceed the quantity of water available at the original well under the subject right.

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

That the pump system shall include an access port for measuring the water level;

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;

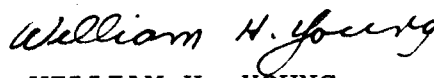
That the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the measuring device be installed under the general supervision of said Watermaster.

It is FURTHER ORDERED that the subject water right is hereby severed from the place of use described in Certificate 20801, and shall be beneficially used as authorized by this order on or before October 1, 1989.

It is FURTHER ORDERED that the right to appropriate water from the Well described in Certificate 20801 is hereby canceled, and water shall be appropriated from the new well on or before October 1, 1989.

It is FURTHER ORDERED that the certificate recorded at page 20801, Volume 15, 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 17th day of June, 1988.


WILLIAM H. YOUNG
Director

NOTE: Approval of the 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.