

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION)
OF BEACON FARMS, INC., FOR AP-)
PROVAL OF A CHANGE IN POINT OF)
APPROPRIATION FROM GROUND WATER)

ORDER APPROVING
TRANSFER NO. 4036

On September 5, 1978, an application was filed in the office of the Water Resources Director by Beacon Farms, Inc. for approval of a change in point of appropriation from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 34273, Volume 26, State Record of Water Right Certificates, in the name of Marlin W. Schaad, describes a right which includes the use of not to exceed 0.3 cubic foot per second from a certain ground water aquifer for irrigation of a certain 10.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 13.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 6 South, Range 3 West, W.M., with a date of priority of February 24, 1958.

Water for the said right is diverted from a well located 870 feet North and 310 feet East from the West Quarter Corner of Section 24, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 6 South, Range 3 West, W.M.

The applicant herein, contract purchaser of the lands above described, proposes to change the point of appropriation therefrom, without loss of priority to a well located 1680 feet North and 40 feet East from the West Quarter Corner of Section 24, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 6 South, Range 3 West, W.M.

Mr. William S. Bartholomew, Hyrdogeologist, has filed a statement to the effect that the proposed change in point of appropriation may be made without injury to existing rights.

Mr. 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.

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 diverted at the new point of appropriation shall not exceed the quantity of water available at the old point of appropriation under the subject right.

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:

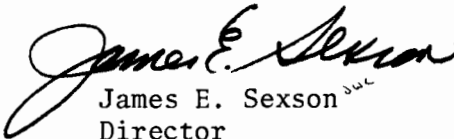
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 NO time need be fixed for completion as the change in point of appropriation is completed.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Marlin W. Schaad and recorded at page 34273, Volume 26, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; 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 28th day of September, 1978.


James E. Sexson ^{DEC}
Director