

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
MARION COUNTY

IN THE MATTER OF THE APPLICATION OF )  
DORIS G. NEEDHAM FOR APPROVAL ) ORDER APPROVING  
OF A CHANGE IN USE HERETOFORE ) TRANSFER 5652  
MADE OF WATER )

On May 30, 1985, an application was filed in the office of the Water Resources Director by Doris G. Needham for approval of a change in use heretofore made of water from an unnamed stream and reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

The certificates recorded at pages 35022 and 35023, Volume 27, State Record of Water Right Certificates, in the name of Albert I. Needham, describe rights for the use of not to exceed 0.05 cubic foot per second from an unnamed stream and reservoir, and storage of 4.5 acre-feet in said reservoir, for irrigation of 2.8 acres in NE 1/4 SW 1/4 and 0.8 acre in NW 1/4 SW 1/4, Section 4, Township 7 South, Range 2 West, WM, with a date of priority of August 25, 1964.

Water for the said right is diverted from a point located 170 feet South and 1070 feet East from the Northwest Corner of Pitney DLC 72, being within the NE 1/4 SW 1/4 of Section 4, Township 7 South, Range 2 West, WM.

The applicant herein, owner of the lands above described, proposes to change the use heretofore made therefrom, to recreational use in said reservoir, being within the NE 1/4 SW 1/4 of Section 4, Township 7 South, Range 2 West, WM. The change in use heretofore made is reported to be completed.

Notice of the application, pursuant to ORS 540.520(2), was published in the Silverton Appeal-Tribune, a newspaper printed and having general circulation in Marion County, Oregon, for a period of three weeks in the issues of June 6, 13 and 20, 1985.

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

No objections having been filed and it appearing that the proposed change in use heretofore made may be made 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 purpose shall not exceed 0.05 cubic foot per second and storage of 4.5 acre-feet, and shall be used only during the irrigation season of each year.

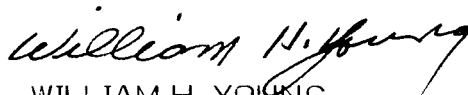
It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

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 certificates recorded at pages 35022 and 35023, Volume 27, State Record of Water Right Certificates, are 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, confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 5th day of August, 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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