

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MORROW COUNTY

IN THE MATTER OF THE APPLICATION OF)
THOMAS W. AND PAMELA S. MANN)
FOR APPROVAL OF CHANGES IN PLACE)
OF USE AND POINT OF APPROPRIATION)
OF WATER)

ORDER APPROVING
TRANSFER 5737

On December 11, 1985, an application was filed in the office of the Water Resources Director by Thomas W. and Pamela S. Mann for approval of changes in place of use and point of appropriation of water from ground water, pursuant to the provisions of ORS 537.705.

Pursuant to the provisions of ORS 537.250, proof has been made to the satisfaction of the Water Resources Director that a right has been perfected under the terms of Permit G-10504 in the name of 12-H, Inc., for the use of not ot exceed 0.05 cubic foot per second from Wells 1 2, 3 and 4, for irrigation of 4.2 acres in SW 1/4 NE 1/4, Section 33, Township 4 North, Range 27 East, WM, with a date of priority of October 31, 1969.

Water for said right is diverted from Wells 1, 2, 3 and 4, located:1- SW 1/4 NE 1/4; 2 - SW 1/4 SE 1/4, Section 28; 3 - NW 1/4 NE 1/4; 4 - SW 1/4 NE 1/4, Section 33, Township 4 North, Range 27 East, WM; Well 1 - 3150 feet North and 1180 feet East, Well 2 - 20 feet North and 1310 feet East, Well 3 - 1290 feet South and 1280 feet East, Well 4 - 1990 feet South and 1300 feet East, all from the South Quarter Corner, Section 28, Township 4 North, Range 27 East, WM.

The applicants herein propose to change the point of diversion therefrom to a point located 160 feet North and 971 feet West from the South Quarter Corner of Section 20, being within the SE 1/4 SW 1/4 of Section 20, Township 4 North, Range 27 East, WM, and to change the place of use to irrigation of 4.2 acres in SE 1/4 SW 1/4 of said Section 20.

Tyler S. Hansell, President of 12-H, Inc., the owner of the land to be divested of water right, has submitted a notarized statement that 12-H Inc. approves the proposed changes in place of use and point of appropriation.

Notice of the application, pursuant ot ORS 540.520(2), was published in the Hermistion Herald, a newspaper having general circulation in the area in which the water right is located, for a period of three weeks in the issues of June 3, 10 and 17, 1986.

Michael F. Ladd, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of appropriation may be made without injury to existing rights.

Robert Back, Hydrogeologist, has filed a statement to the effect that the proposed changes in place of use and point of appropriation may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in place of use and point of appropriation may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed changes in place of use and point of appropriation are approved, without loss of priority.

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 wells under the subject right, and shall not exceed 0.05 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be carried out prior to using water from the new well as herein confirmed:

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;

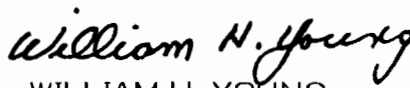
That the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the measuring device be installed under the general supervision of said Watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of appropriation of water made on or before October 1, 1987.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1987.

It is FURTHER ORDERED that a 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 applicants herein.

Dated at Salem, Oregon, this 27th day of August, 1986.


WILLIAM H. YOUNG
Director

NOTE: 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.

A party may file objections and exceptions to the Proposed Order with the Water Resources Commission. Such objections and exceptions must be filed within 45 days from the date of service (date of mailing) of the Proposed Order on the party. The Commission will provide opportunity for oral argument in support of written objections and exceptions. If no objections and exceptions are filed within the time allowed, the Proposed Order will automatically become the Final Order of the Commission.

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