

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Morrow County

IN THE MATTER OF THE APPLICATION)
OF GEORGIA BELL HOLZAPFEL FOR THE)
APPROVAL OF A CHANGE IN POINT OF)
APPROPRIATION OF GROUND WATER)

ORDER APPROVING
TRANSFER NO. 3478

On September 29, 1976, Georgia Belle Holzapfel filed an application for approval of a change in point of appropriation of ground water from a certain aquifer, under the provisions of ORS 537.705.

Heretofore the applicant has obtained water from the shallow gravel aquifer system by means of her "Well No. 1" located 975 feet North and 1400 feet West from the East quarter-corner of Section 32, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, Township 4 North, Range 27 East, W.M., having a depth of 123 feet and a developed pumping yield of 575 gallons per minute, for irrigation under the following described rights of record:

(1) A right to appropriate not to exceed 0.61 cubic foot per second with a date of priority of March 16, 1953, for irrigation of 16 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 33 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, Township 4 North, Range 27 East, W.M., as evidenced by certificate recorded at Page 22888, Volume 16, State Record of Water Right Certificates.

(2) A right to appropriate not to exceed 0.61 cubic foot per second with a date of priority of March 16, 1953, for irrigation of 9.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 4 North, Range 27 East, W.M., as evidenced by certificate recorded at Page 22889, Volume 16, State Record of Water Right Certificates.

(3) A right to appropriate not to exceed 0.23 cubic foot per second with a date of priority of July 5, 1955, for irrigation of 18.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, Township 4 North, Range 27 East, W.M., as evidenced

by the certificate recorded at Page 22907, Volume 16, State Record of Water Right Certificates.

(4) A right to appropriate not to exceed an undivided 3.08 cubic feet per second from said Well No. 1 and two other wells also developing water from the same aquifer, with a date of priority of June 28, 1960, for irrigation of 31 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32; supplemental irrigation of, among other lands, 27.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 2.6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 7.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 6.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, all in Township 4 North, Range 27 East, W.M., as evidenced by the certificate recorded at Page 31098, Volume 23, State Record of Water Right Certificates.

The applicant herein, owner of the lands above described, proposes to change the point of appropriation away from said "well No. 1" and without loss of priority obtain the water from said aquifer by means of her "well No. 5" located 100 feet South and 80 feet West from the North quarter-corner of Section 32, Township 4 North, Range 27 East, W.M.

Notice of the application, pursuant to ORS 540.510 was published in the Heppner Gazette-Times, a newspaper printed and having general circulation in Morrow County, Oregon, for a period of three weeks in the issues of November 11, 18 and 25, 1976.

Mr. William B. McCall, Hydrogeologist, Water Resources Department, filed a statement to the effect that the proposed change in point of appropriation may be made without injury to existing rights.

Mr. William I. Porfily, Watermaster of District No. 5, has filed a statement to the effect that the proposed change in point of appropriation may be made without injury to existing rights.

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

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion, and shall not exceed 575 gallons per minute.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed:

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;

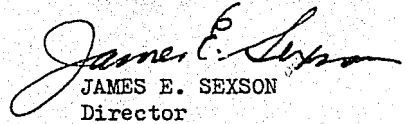
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of appropriation of water made on or before October 1, 1978.

It is FURTHER ORDERED that 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, the certificates of water right heretofore issued and recorded at Pages 22888, 22889 and 22907, Volume 16, and Page 31098, Volume 23, State Record of Water Right

Certificates, be canceled, and in lieu thereof new confirming certificates water right shall be issued to Georgia Bell Holzapfel.

Dated at Salem, Oregon, this 8th day of February, 1977.


JAMES E. SEXSON
Director