

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF JUANITA FORD FOR APPROVAL) ORDER APPROVING
FOR APPROVAL OF A CHANGE IN PLACE) TRANSFER 6020
OF USE OF WATER)

On November 16, 1987, an application was filed in the office of the Water Resources Director by Juanita Ford for approval of a change in place of use of water from Lookingglass Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 33015, Volume 25, State Record of Water Right Certificates, in the name of Fred Schulze, describes a right which includes the use of not to exceed 0.081 cubic foot per second from Lookingglass Creek for irrigation of a certain 6.5 acres SW1/4 NE1/4 and 1.0 acre SE1/4 NE1/4 of Section 2, Township 28 South, Range 7 West, W.M., with a date of priority of March 7, 1950.

The applicants herein, owners of the lands above described, propose to transfer the water right therefrom to a certain 2.3 acres NE1/4 SW1/4 and 5.2 acres NW1/4 SE1/4, Section 2, Township 28 South, Range 7 West, W.M.

The certificate recorded at page 33016, Volume 25, State Record of Water Right Certificates, in the name of Fred Schulze, describes a right which includes the use of not to exceed 0.264 cubic foot per second from Lookingglass Creek for irrigation of a certain 4.3 acres SE1/4 NE1/4, 5.3 acres NE1/4 SW1/4 and 11.7 acres NW1/4 SE1/4 of Section 2, Township 28 South, Range 7 West, W.M., with a date of priority of December 17, 1958.

The applicants herein, owners of the lands above described, propose to transfer the water right therefrom to a certain 1.5 acres SW1/4 NW1/4 Section 1 and; 5.6 acres SW1/4 NE1/4 and 14.2 acres SE1/4 NE1/4 Section 2, Township 28 South, Range 7 West, W.M.

Water for said rights is diverted from a point located North 73 degrees 30 minutes West from the East Quarter Corner Section 2, being within the SW1/4 NE1/4 of Section 2, Township 28 South, Range 7 West, W.M.

Gary Ball, Watermaster, District 15, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

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

NOW, THEREFORE, it is hereby ORDERED that the proposed change in place of use is approved, without loss of priority.

It is FURTHER ORDERED that the following provisions be carried out prior to using water under the provisions of this order:

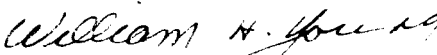
That the diversion works shall include a totalizing measuring device;

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 Certificates 33015 and 33016, and shall be beneficially used as authorized by this order on or before October 1, 1989.

It is FURTHER ORDERED that the certificates recorded at pages 33015 and 33016, Volume 25, State Record of Water Right Certificates, are canceled; and in lieu thereof new certificates be issued covering the balance of the rights 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, confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 26th day of July, 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.