

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION )  
OF CITY OF NEWBERG FOR APPROVAL OF )  
A CHANGE IN POINT OF APPROPRIATION )  
OF WATER )

ORDER APPROVING  
TRANSFER NO. 4547

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On June 23, 1980, an application was filed in the office of the Water Resources Director by the City of Newberg 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 48101, Volume 41, State Record of Water Right Certificates, in the name of the City of Newberg, describes a right for the use of not to exceed 3.0 cubic feet per second from Well No. 3 for municipal use, with a date of priority of August 6, 1970.

The authorized point of appropriation is located 2400 feet North and 1450 feet East from the Southwest Corner of Section 29, being within the NE 1/4 SW 1/4 of Section 29, Township 3 South, Range 2 West, W.M.

The applicant herein proposes to change the point of appropriation, without loss of priority, to Well No. 5, located 2433 feet North and 1488 feet East from the Southwest Corner of Section 29, being within the NE 1/4 SW 1/4 of Section 29, Township 3 South, Range 2 West, W.M.

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 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 construction work shall be completed and the change in point of appropriation of water made on or before October 1, 1982.

It is FURTHER ORDERED that the certificate recorded at page 48101, Volume 41, State Record of Water Right Certificates, is 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, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 28th day of October, 1980.

JAMES E. SEXSON  
Director



by Chris L. Wheeler  
Deputy Director *SMA*