

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

LAKE COUNTY

IN THE MATTER OF THE APPLICATION OF)
THE POPLARS RANCH FOR APPROVAL OF) ORDER APPROVING
CHANGES IN PLACE OF USE AND POINT) TRANSFER 5817
OF APPROPRIATION OF WATER)

On June 9, 1986, an application was filed in the office of the Water Resources Director by The Poplars Ranch, Inc. for approval of changes in place of use and point of appropriation of water from a well, pursuant to the provisions of ORS 540.510 to 540.530.

The right established by performance under the terms of Permit G-9146, in the name of The Poplars Ranch, Inc., includes the use of not to exceed 1.62 cubic feet per second of water from a well located within the NE 1/4 SE 1/4 of Section 34, Township 26 South, Range 15 East, WM, being 1450 feet North and 1350 feet West from the Southeast Corner of Section 34, Township 26 South, Range 15 East, WM, for irrigation of 40.0 acres SW 1/4 NE 1/4, 40.0 acres SE 1/4 NE 1/4, 38.0 acres NE 1/4 SE 1/4 and 11.8 acres NW 1/4 SE 1/4, Section 34, Township 26 South, Range 15 East, WM, with a date of priority of January 9, 1981.

The applicant herein, owner of the lands above described, proposes to change the point of appropriation therefrom to a point located 1305 feet North and 1305 feet East from the Southwest Corner of Section 33, being within the SW 1/4 SW 1/4 of Section 33, Township 26 South, Range 15 East, WM, and to change the place of use to irrigation of 32.45 acres NE 1/4 SW 1/4, 32.45 acres NW 1/4 SW 1/4, 32.45 acres SW 1/4 SW 1/4 and 32.45 acres SE 1/4 SW 1/4, Section 33, Township 26 South, Range 15 East, WM.

Notice of the application, pursuant to ORS 540.520(2), was published in the Lake County Examiner, 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 July 10, 17 and 24, 1986.

Dennis R. Glender, 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.

Donn Miller, 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 well under the subject right, and shall not exceed 1.62 cubic feet per second.

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

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;

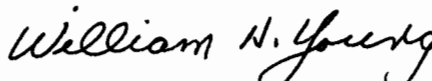
That the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the measuring device be installed under the general supervision of said Watermaster.

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, 1988.

It is FURTHER ORDERED that the subject water right is hereby severed from the place of use described in Permit G-9146, and shall be beneficially used as authorized by this order on or before October 1, 1988.

It is FURTHER ORDERED that 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 29th day of August, 1986.


WILLIAM H. YOUNG, ^{SR.}
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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