

Lane County

IN THE MATTER OF THE APPLICATION
OF GERALD J. AND LORENCE R. EDWARDS
FOR THE APPROVAL OF A CHANGE IN
POINT OF APPROPRIATION OF GROUND
WATER

ORDER APPROVING
TRANSFER NO. 3547

On February 24, 1977, Gerald J. and Lorence R. Edwards filed an application in the office of the Water Resources Director for the approval of a change in point of appropriation of ground water from a certain aquifer, pursuant to the provisions of ORS 537.705.

Certificate of water right recorded at Page 28865, Volume 21, State Record of Water Right Certificates, in the name of Rupert Edwards, describes an existing right of record which includes the use of not to exceed 0.06 cubic foot per second from a well for irrigation of 3.88 acres in Lot 6 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) and 1.33 acres in Lot 7 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 9, Township 16 South, Range 4 West, W.M., with a date of priority of May 9, 1957.

Water for the said right is diverted from a well located 1636 feet South and 1175 feet East from the North quarter-corner of Section 9, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 16 South, Range 4 West, W.M.

The applicants herein, owners of the lands above described, propose to change, without loss of priority, the point of appropriation and to obtain water from the said aquifer by means of a well located 1170 feet South and 720 feet East from the North quarter-corner of Section 9, being within Lot 7 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 9, Township 16 South, Range 4 West, W.M.

Mr. L. Gene McGinnis, Watermaster of District No. 2, 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 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 0.06 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install head-gates and measuring devices:

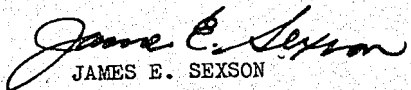
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 no time need be fixed for completion as the change in point of appropriation is completed.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Rupert Edwards and recorded at Page 28865, Volume 21, State Record of Water Right Certificates, is canceled, and in lieu thereof a new 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 Gerald J. and Lorence R. Edwards.

Dated at Salem, Oregon, this 17th day of March, 1977.


JAMES E. SEXSON
Director