

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
UMATILLA COUNTY

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| IN THE MATTER OF THE APPLICATION OF |) | |
| LOYALTA CORPORATION FOR APPROVAL |) | |
| OF A CHANGE IN POINT OF APPROP- |) | ORDER APPROVING |
| RIATION OF WATER |) | TRANSFER 5706 |

On September 16, 1985, an application was filed in the office of the Water Resources Director by Loyalta Corporation for approval of a change in point of appropriation of water from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 37354, Volume 29, State Record of Water Right Certificates, in the name of Theodore A. Warren, describes a right for the use of not to exceed 1.13 cubic feet per second from ground water for irrigation of 40.0 acres in NW 1/4 NE 1/4, 39.2 acres in SW 1/4 NE 1/4, 40.0 acres in NE 1/4 NW 1/4 and 39.2 acres in SE 1/4 NW 1/4, Section 29, Township 4 North, Range 29 East, WM, with a date of priority of November 7, 1962.

The authorized point of appropriation is located 1280 feet South and 2620 feet West from the Northeast Corner of Section 29, being within the NW 1/4 NE 1/4 of Section 29, Township 4 North, Range 29 East, WM (Well No. 1).

The applicant herein, owner of the lands above described, proposes to change the point of appropriation therefrom to a well located 1050 feet North and 640 feet West from the Center of Section 29, being within the SE 1/4 NW 1/4 of Section 29, Township 4 North, Range 29 East, WM. The change in point of appropriation is reported to be completed.

Michael F. Ladd, Watermaster, has filed a statement to the effect that the proposed change in point of appropriation may be made without injury to existing rights.

Michael J. Zwart, Hydrogeologist, 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 proposed change in point of appropriation is 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 1.13 cubic feet per second.

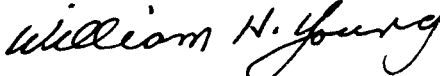
It is FURTHER ORDERED that the following provisions shall be carried out prior to using water from the new well as herein confirmed:

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 certificate recorded at page 37354, Volume 29, 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 5th day of November, 1985.


WILLIAM H. YOUNG,
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.

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