

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION)
OF DANIEL H. ROSS FOR APPROVAL OF)
A CHANGE IN POINT OF APPROPRIATION)
OF WATER)

ORDER APPROVING
TRANSFER NO. 4390

On February 12 , 1980, an application was filed in the office of the Water Resources Director by Daniel H. Ross for approval of a change in point of appropriation from a well, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 34622, Volume 26, State Record of Water Right Certificates, in the name of Daniel H. Ross, describes a right for the use of not to exceed 0.67 cubic foot per second from a well for irrigation of:

- 4.9 acres NE 1/4 NE 1/4 as projected within Greenwood DLC 57
- 28.6 acres NW 1/4 NE 1/4 as projected within Greenwood DLC 57
- 37.5 acres SW 1/4 NE 1/4 as projected within Greenwood DLC 57
- 3.0 acres SE 1/4 NE 1/4 as projected within Greenwood DLC 57
- 3.6 acres NE 1/4 NW 1/4 as projected within Greenwood DLC 57
- 0.1 acre NE 1/4 NW 1/4 as projected within Murphey DLC 58
- 0.7 acre SE 1/4 NW 1/4 as projected within Murphey DLC 58
- 6.0 acres SE 1/4 NW 1/4 as projected within Greenwood DLC 57
- 1.6 acres NW 1/4 SE 1/4 as projected within Greenwood DLC 57

Section 11

Township 7 South, Range 2 West, W.M.,

with a date of priority of September 15, 1960.

The point of appropriation is located 3030 feet North and 925 feet East from the Southwest corner of Greenwood DLC 57, being within the NW 1/4 NE 1/4 of Section 11, Township 7 South, Range 2 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of appropriation to a well located 3630 feet North and 270 feet East from the SW corner of Greenwood DLC 57, being within the NW 1/4 NE 1/4 of Section 11, Township 7 South, Range 2 West, W.M.

Mr. Clifton R. King, Watermaster, and Mr. William S. Bartholomew, Hydrologist, have filed statements 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 appropriated 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 NO time need be fixed for completion as the change in point of appropriation is completed.

It is FURTHER ORDERED that the certificate recorded at page 34622, Volume 26, 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 9th day of July, 1980.


JAMES E. SEXSON, ^{5/22}
Director