

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION OF)
PRUDENTIAL LIFE INSURANCE COMPANY)
OF AMERICA FOR APPROVAL OF ADDITIONAL)
POINTS OF APPROPRIATION OF WATER)

ORDER APPROVING
TRANSFER 5681

On July 29, 1985, an application was filed in the office of the Water Resources Director by Prudential Life Insurance Company of America for approval of additional points of appropriation of water from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 52901, Volume 47, State Record of Water Right Certificates, in the name of Prudential Life Insurance Company of America, describes a right which includes the use of not to exceed 9.3 cubic feet per second from ground water for irrigation of 837.8 acres and supplemental irrigation of 206.6 acres as follows:

GEHRKE PRIMARY

35.8 acres NE 1/4 NW 1/4
38.7 acres NW 1/4 NW 1/4
37.2 acres SW 1/4 NW 1/4
33.4 acres SE 1/4 NW 1/4
39.0 acres NE 1/4 SW 1/4
40.0 acres NW 1/4 SW 1/4
38.7 acres SW 1/4 SW 1/4
40.0 acres SE 1/4 SW 1/4
Section 1

29.3 acres NE 1/4 NE 1/4
34.0 acres NW 1/4 NE 1/4
29.3 acres SW 1/4 NE 1/4
40.0 acres SE 1/4 NE 1/4
40.0 acres NE 1/4 SE 1/4
38.1 acres NW 1/4 SE 1/4
26.9 acres SW 1/4 SE 1/4
39.1 acres SE 1/4 SE 1/4
Section 2

30.7 acres NE 1/4 NW 1/4
30.7 acres NW 1/4 NW 1/4
27.2 acres SW 1/4 NW 1/4
26.0 acres SE 1/4 NW 1/4
14.4 acres NE 1/4 SE 1/4
1.0 acre NW 1/4 SE 1/4
Section 11

GEHRKE SUPPLEMENTAL

1.3 acres SW 1/4 SW 1/4
Section 1

0.2 acres SW 1/4 SE 1/4
0.9 acres SE 1/4 SE 1/4
Section 2

40.0 acres NE 1/4 NE 1/4
36.4 acres NW 1/4 NE 1/4
24.4 acres SW 1/4 NE 1/4
39.0 acres SE 1/4 NE 1/4
2.0 acres NE 1/4 SE 1/4
0.1 acre NW 1/4 SE 1/4
Section 11

27.6 acres NW 1/4 NW 1/4
32.8 acres SW 1/4 NW 1/4
1.9 acres NW 1/4 SW 1/4
Section 12
Township 3 North, Range 29 East, WM

32.6 acres NE 1/4 NW 1/4
4.1 acres NW 1/4 NW 1/4
3.1 acres SW 1/4 NW 1/4
36.7 acres SE 1/4 NW 1/4
28.3 acres NE 1/4 SW 1/4
23.5 acres NW 1/4 SW 1/4
Section 12
Township 3 North, Range 29 East, WM

with a date of priority of February 16, 1973.

The authorized points of appropriation are: Well 4 - 2820 feet North and 260 feet West from the Southeast Corner, Section 2, being within the SE 1/4 NE 1/4, Section 2, Township 3 North, Range 29 East, WM; Well 7 - 1010 feet South and 40 feet East from the Northwest Corner, Section 12, being within the NW 1/4 NW 1/4, Section 12, Township 3 North, Range 29 East, WM.

The applicant herein, owner of the lands above described, proposes to add three more points of appropriation as follows: Well 2 - 2010 feet North and 1330 feet East from the Southwest Corner, Section 6, being within the NW 1/4 SW 1/4 of Section 6, Township 3 North, Range 30 East, WM; Well 3 - 2480 feet North and 220 feet West from the Southeast Corner, Section 12, being within the NE 1/4 SE 1/4, Section 12, Township 3 North, Range 29 East, WM; Claude O. Meyers Well - 132 feet (2 chains) North and 2191.2 feet (33.2 chains) West from the East Quarter Corner, Section 11, being within the SW 1/4 NE 1/4, Section 11, Township 3 North, Range 29 East, WM. The additional points of appropriation are reported to be completed.

Notice of the application, pursuant to ORS 540.520(2), was published in The Hermiston Herald, 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 September 3, 10 and 17, 1985.

Larry H. Nunn, Watermaster, has filed a statement to the effect that the proposed additional points of appropriation may be made without injury to existing rights.

Michael J. Zwart, Hydrogeologist, has filed a statement to the effect that the proposed additional points of appropriation may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed additional points of appropriation may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed additional points of appropriation are approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water appropriated at the new wells, together with that appropriated at the old wells, shall not exceed the quantity of water available at the old wells under the subject right, and shall not exceed 9.3 cubic feet per second.

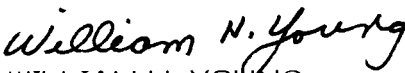
It is FURTHER ORDERED that the following provisions shall be carried out prior to using water from the new well as herein confirmed:

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 52901, Volume 47, 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 the applicant herein.

Dated at Salem, Oregon, this 19th day of November, 19885.


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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