

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
JACKSON COUNTY

IN THE MATTER OF THE APPLICATION OF)
ALFRED VAN RENSELAAR FOR APPROVAL) ORDER APPROVING
OF A CHANGE IN POINT OF APPROPRIATION) TRANSFER 5842
OF WATER)

On August 19, 1986, an application was filed in the office of the Water Resources Director by Alfred Van Renselaar 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 31761, Volume 23, State Record of Water Right Certificates, in the name of E.E. and Ella Mae McGrew, describes a right which includes the use of not to exceed 0.09 cubic foot per second from ground water for irrigation of 7.5 acres in NW 1/4 NW 1/4, Section 27, Township 37 South, Range 2 West, WM, with a date of priority of July 24, 1959.

The authorized point of appropriation is located 0.5 chain North and 1.5 chains East from the Southeast Corner of Miller DLC 41, being within the SW 1/4 NE 1/4 of Section 28, Township 37 South, Range 2 West, WM (McGrew Well).

The applicant herein, owner of the lands above described, proposes to change the point of appropriation therefrom to two wells located 1 - 1050 feet South and 300 feet East; 2 - 1100 feet South and 450 feet East, both from the Northwest Corner of Section 27, both being within the NW 1/4 NW 1/4 of Section 27, Township 37 South, Range 2 West, WM. The change in point of appropriation is reported to be completed.

Notice of the application, pursuant to ORS 540.520(2), was published in the Medford Mail Tribune, 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 22, 29 and October 6, 1986.

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

John M. Rehm, Jr., 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 wells shall not exceed the quantity of water available at the old well under the subject right, and shall not exceed 0.09 cubic foot 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 access port for measuring the water level;

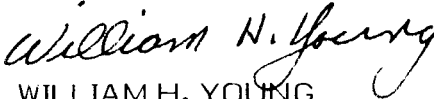
That the pump system shall include an in-line flow meter or other suitable device for measuring the water to which the applicant is entitled;

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 right to appropriate water from the Well described in Certificate 31761 is hereby canceled, and water shall be appropriated from the new wells on or before October 1, 1988.

It is FURTHER ORDERED that the certificate recorded at page 31761, Volume 23, 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 29th day of January, 1987.


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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