

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JACKSON COUNTY

IN THE MATTER OF THE APPLICATION OF )  
GLENN A. LOWE AND DAWN LOWE ) ORDER APPROVING  
FOR APPROVAL OF A CHANGE IN POINT ) TRANSFER 5960  
OF APPROPRIATION OF WATER )

On June 19, 1987, an application was filed in the office of the Water Resources Director by Glenn A. Lowe and Dawn Lowe for approval of a change in point of appropriation of water from McGrew Well, 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 0.096 cubic foot per second from McGrew Well for irrigation of a certain 4.0 acres NW1/4 NW1/4, Section 27, and 3.68 acres NE1/4 NE1/4 of Section 28 (tax lot 103), Township 37 South, Range 2 West, WM, with a date of priority of July 24, 1959.

The authorized point of appropriation is located 1/2 chain North and 1 1/2 chains East from the Southeast corner of Miller DLC 41, being within the SW1/4 NE1/4 of Section 28, Township 37 South, Range 2 West, WM.

The applicants herein, owners of the lands above described, propose to change the point of appropriation therefrom to a point located 1000 feet South and 50 feet East from the Northwest corner of Section 27, being within the NW1/4 NW1/4, Section 27, Township 37 South, Range 2 West, WM.

Bruce Sund, Watermaster, has filed statements to the effect that the proposed change in point of appropriation may be made without injury to existing rights and that the well is now properly constructed.

Susan Hartford, Hydrogeologist, has filed a statement that the proposed change in point of appropriation may be made without injury to existing rights.

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 December 8, 15 and 22, 1988.

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 is hereby 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 0.096 cubic foot per second and that the quantity of water appropriated at the new well together with that appropriated from the old well shall not exceed the quantity of water available at the original well under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the Watermaster it becomes necessary to install measuring devices:

That the pump system shall include an access port for measuring the water level;

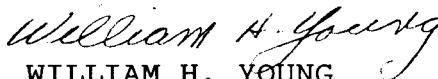
That the pump system shall include an in-line flow meter or other suitable device for measuring the water to which the applicant is entitled;

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 well on or before October 1, 1990.

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 27th day of January, 1989.

  
WILLIAM H. YOUNG  
Director

NOTE: Approval of the 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.