

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION OF)
M.L. KOESTER FOR APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 5501

On July 12, 1984, an application was filed in the office of the Water Resources Director by M.L. Koester for approval of a change in place of use of water from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 51679, Volume 46, State Record of Water Right Certificates, in the name of Vernon and Ivan Cook, describes a right which includes the use of not to exceed 2.79 cubic feet per second from ground water for irrigation of:

21.2 acres NE 1/4 SW 1/4
27.4 acres NW 1/4 SW 1/4
34.0 acres SW 1/4 SW 1/4
25.2 acres SE 1/4 SW 1/4
33.6 acres NE 1/4 SE 1/4
31.0 acres NW 1/4 SE 1/4
24.4 acres SW 1/4 SE 1/4
26.0 acres SE 1/4 SE 1/4
Section 20
Township 4 North, Range 29 East, WM

with a date of priority of February 25, 1977.

The authorized point of appropriation is located 1050 feet North and 50 feet East from the South Quarter Corner of Section 20, being within the SW 1/4 SE 1/4 of Section 20, Township 4 North, Range 29 East, WM.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom to:

31.0 acres NE 1/4 SW 1/4
0.5 acre NW 1/4 SW 1/4
18.0 acres SW 1/4 SW 1/4
33.3 acres SE 1/4 SW 1/4
36.0 acres NE 1/4 SE 1/4
34.0 acres NW 1/4 SE 1/4
34.0 acres SW 1/4 SE 1/4
36.0 acres SE 1/4 SE 1/4
Section 20
Township 4 North, Range 29 East, WM

The change in place of use is reported to be completed.

Larry H. Nunn, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use is approved, without loss of priority.

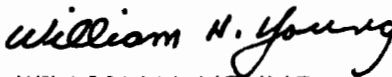
It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install measuring devices:

That the pump system shall include an 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 51697, Volume 46, 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 20th day of September, 1984.


WILLIAM H. YOUNG, ^{3,178}
Director

NOTE: The 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.

4586C