

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MORROW COUNTY

IN THE MATTER OF THE APPLICATION)
OF GEORGE AND JERRY BULOW FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE AND POINT OF APPROPRIATION)
OF WATER)

ORDER APPROVING
TRANSFER NO. 4119

On January 8, 1980, an application was filed in the office of the Water Resources Director by George and Jerry Bulow for approval of a change in place of use and point of appropriation from a well, pursuant to the provisions of ORS 537.705.

The affected water right is a portion of the right described by the certificate recorded at page 41878, Volume 33, State Record of Water Right Certificates, in the name of George S. Bulow, and is for the use of not to exceed 0.35 cubic foot per second from a well, under a priority date of March 6, 1959, for irrigation of a certain 9.7 acres in SW 1/4 NE 1/4, 4.2 acres in SE 1/4 NE 1/4, 2.4 acres in SE 1/4 NW 1/4, 2.7 acres in NE 1/4 SW 1/4, 28.9 acres in NE 1/4 SE 1/4, 35.5 acre in NW 1/4 SE 1/4, 1.6 acres in SW 1/4 SE 1/4 and 0.2 acres in SE 1/4 SE 1/4, Section 4, Township 3, North, Range 26 East, W.M.

The authorized point of diversion is located 840 feet South and 430 feet West from the Northeast Corner of Section 4, being within the NE 1/4 NE 1/4 of Section 4, Township 3 North, Range 26 East, W.M.

The applicants propose to sever the right therefrom and to irrigate in lieu thereof a certain 18.4 acres in NE 1/4 NE 1/4, 12.8 acres in NW 1/4 NE 1/4 and 7.9 acres in SE 1/4 NE 1/4, Section 4, from the aforesaid authorized point of appropriation, together with 23.0 acres in NE 1/4 SE 1/4 and 23.1 acres in NW 1/4 SE 1/4, Section 4, from a well located 1390 feet North and 2390 feet West from the Southeast Corner of Section 4, being within the NW 1/4 SE 1/4, Section 4, Township 3 North, Range 26 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Gazette-Times, a newspaper printed and having general circulation in Morrow County, Oregon, for a period of three weeks in the issues of May 1, 8 and 15, 1980.

Mr. Steven P. Applegate, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of appropriation may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in place of use and 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 changes in place of use and point of appropriation, as described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water appropriated at the new point of appropriation, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.35 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the appropriating of water at the new point of appropriation as herein confirmed:

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;

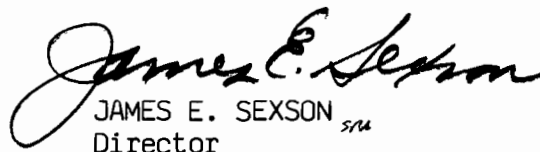
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of appropriation of water made on or before October 1, 1981.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that the certificate recorded at page 41878, Volume 33, 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 applicants herein.

Dated at Salem, Oregon this 21st day of July, 1980.


JAMES E. SEXSON
Director