

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF THE APPLICATION OF)
THE CITY OF ONTARIO FOR APPROVAL OF) ORDER APPROVING
AN ADDITIONAL POINT OF APPROPRIATION) TRANSFER 6106
OF WATER)

On May 9, 1988, an application was filed in the office of the Water Resources Director by The City of Ontario for approval of an additional point of appropriation of water from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 34669, Volume 26, State Record of Water Right Certificates, in the name of City of Ontario, describes a right for the use of not to exceed 1.12 cubic feet per second being 0.37 cubic foot per second from Well No. 2 and 0.75 cubic foot per second from well No. 3 for irrigation of:

0.1 acre NW1/4 NE1/4
12.0 acres SW1/4 NE1/4
5.4 acres SE1/4 NE1/4
2.4 acres NE1/4 NW1/4
23.5 acres SE1/4 NW1/4
23.1 acres NE1/4 SW1/4
8.4 acres NE1/4 SE1/4
14.8 acres NW1/4 SE1/4

Section 7

Township 18 South, Range 47 East, WM.

with a date of priority of March 6, 1964.

The authorized points of appropriation are located: Well No. 2; 1410 feet South and 1475 feet East from the North Quarter Corner of Section 7, being within the SE1/4 NE1/4, Section 7 and Well No. 3; 670 feet North and 1825 feet East from the Southwest sixteenth corner of Section 7, being within the NW1/4 SE1/4 Section 7, Township 18 South, Range 47 East, WM.

The applicant herein, owner of the lands above described, proposes to add an additional well at a point located 2934 feet North and 1016 feet West from the South Quarter Corner of Section 7, being within SE1/4 NW1/4 of Section 7, Township 18 South, Range 47 East, WM.

Notice of the application pursuant to ORS 540.520(2), was published in the Daily Argus Observer, 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 August 23 and 30, and September 6, 1988.

Larry Powers, Watermaster, has filed a statement to the effect that the proposed additional point of appropriation may be added without injury to existing rights.

Samuel R. Allison, Hydrogeologist, has filed a statement that the proposed additional point of appropriation may be added without injury to existing rights.

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

NOW, THEREFORE, it is hereby ORDERED that the proposed additional 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 1.12 cubic feet per second and that the quantity of water appropriated at the new well together with that appropriated from the old wells shall not exceed the quantity of water available at the original wells 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 wells described in Certificate 34669 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 34669, Volume 26, State Record of Water Right Certificates, is canceled; 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 21st day of October, 1988.

William H. Young
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.