

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
YAMHILL COUNTY

IN THE MATTER OF THE APPLICATION OF)
CITY OF AMITY FOR APPROVAL OF A)
CHANGE IN POINT OF APPROPRIATION)
OF WATER)

ORDER APPROVING
TRANSFER 5674

On July 17, 1985, an application was filed in the office of the Water Resources Director by City of Amity 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 28994, Volume 21, State Record of Water Right Certificates, in the name of City of Amity, describes a right for the use of not to exceed 0.45 cubic foot per second from ground water for municipal use within the City of Amity, being:

SE 1/4 SE 1/4
Section 19
SW 1/4 NE 1/4
All of S 1/2
Section 20
NE 1/4 NW 1/4
SE 1/4 NW 1/4
Section 29
NE 1/4 NW 1/4
NW 1/4 NE 1/4
NE 1/4 NE 1/4
Section 30
Township 5 South, Range 4 West, WM

with a date of priority of March 6, 1959.

The authorized point of appropriation is located 144 feet South and 73 feet West from the Northeast Corner of Section 25, being within the NE 1/4 NE 1/4 of Section 25, Township 5 South, Range 5 West, WM.

The applicant herein proposes to change the point of appropriation therefrom to a well located 172 feet South and 52.5 feet West from the Northeast Corner of Section 25, being within the NE 1/4 NE 1/4 of Section 25, Township 5 South, Range 5 West, WM.

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

Kenneth E. Lite, 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 well shall not exceed the quantity of water available at the old well under the subject right, and shall not exceed 0.45 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 headgates and measuring devices:

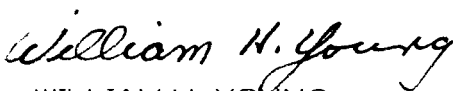
That the pump system shall include an in-line flow meter, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the 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 October 1, 1987.

It is FURTHER ORDERED that the certificate recorded at page 28994, Volume 21, 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 26th day of December, 1985


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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