

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION)
OF DESCHUTES VALLEY FARMS FOR AP-)
PROVAL OF A CHANGE IN POINT OF)
APPROPRIATION FROM GROUND WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 3915

On March 27, 1978, an application was filed in the office of the Water Resources Director by Deschutes Valley Farms, Inc., for approval of a change in point of appropriation from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 44277, Volume 36, State Record of Water Right Certificates, in the name of Deschutes Valley Farms, Inc., describes a right which includes the use of not to exceed 2.81 cubic feet per second from a certain ground water aquifer, diverted by means of three wells, including not to exceed 1.47 cubic foot per second from well No. 8 located 2350 feet South and 1060 feet West from the Northeast Corner of Section 20, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, Township 14 South, Range 12 East, W.M., for the irrigation of 0.2 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 8.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 34.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 2.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 18.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 39.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 39.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 29.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 12.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 38.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 3.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, Township 14 South, Range 12 East, W.M., with a date of priority of April 15, 1969.

The applicant herein, owner of the lands above described, proposes to change the point of appropriation from said well No. 8, without loss of priority, to well No. 11 located 413.65 feet North and 440.08 feet East from the Southwest Corner of Section 21, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 14 South, Range 12 East, W.M.

Notice of the application, pursuant to ORS 540.510, was published in the Redmond Spokesman, a newspaper printed and having general circulation in Deschutes County, Oregon, for a period of three weeks in the issues of April 5, 12 and 19, 1978.

Mr. Robert F. Main, Jr., Watermaster, 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 appli-

cation should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of appropriation, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of appropriation, together with that diverted at the old points of appropriation, shall not exceed the quantity of water available at the old points of appropriation under the subject right.

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 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, 1979.

It is FURTHER ORDERED that the certificate of water right recorded at page 44277, Volume 36, 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 19th day of June, 1978.


James E. Sexson
Director