

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION OF)
AGUSTIN AND MARIA C. PALACIOS) ORDER APPROVING
FOR APPROVAL OF A CHANGE IN POINT) TRANSFER 6081
OF APPROPRIATION OF WATER)

On March 11, 1988, an application was filed in the office of the Water Resources Director by Agustin and Maria C. Palacios 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 42218, Volume 34, State Record of Water Right Certificates, in the name of A. & M.C. Palacios, describes a right to the use of not to exceed 0.19 cubic foot per second from ground water for irrigation of a certain 14.9 acres, being 0.1 acre in the SW1/4 NW1/4, 9.8 acres in the NE1/4 SW1/4, and 5.0 acres in the NW1/4 SW1/4, all within Section 30, Township 4 South, Range 1 West, W.M., with a date of priority of May 20, 1968.

The authorized point of appropriation is located 1040 feet South and 800 feet East from the Southeast corner of Lot 2 (SW1/4 NW1/4), Section 30, being within the NW1/4 SW1/4 of Section 30, Township 4 South, Range 1 West, W.M.

The applicants herein, owners of the lands above described, propose to change the point of appropriation therefrom to a point located 1040 feet South and 470 feet East from the Southeast corner of Gauthier DLC 71, being within the NW1/4 SW1/4 of Section 30, Township 4 South, Range 1 West, WM. The proposed change in point of appropriation is reported to be completed.

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

Susan Hartford, Hydrogeologist, has filed a statement 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 is hereby 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 0.19 cubic foot per second and that the quantity of water appropriated at the new well shall not exceed the quantity of water available at the original well 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 measuring devices:

That the pump system shall include an access port for measuring the water level;

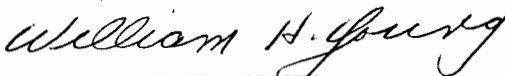
That the pump system shall include an in-line flow meter or other suitable device for measuring the water to which the applicant is entitled;

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 Well described in Certificate 42218 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 42218, Volume 34, 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 22nd day of December, 1988.


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.