

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION )  
OF JOE W. OPPEK FOR THE APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM A WELL )  
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ORDER APPROVING  
TRANSFER NO. O-42

On August 31, 1964, Joe W. Oppek of Salem, Oregon, filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from a well, pursuant to the provisions of ORS 540.510 to 540.530, under the provisions of ORS 537.705.

The water right involved is for the appropriation of not to exceed 0.09 cubic foot per second of the waters of a well located 250 feet north and 800 feet west from the southeast corner of Section 23, and being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , said Section 23, Township 6 South, Range 3 West, W.M., for the irrigation of 7.0 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 23, Township 6 South, Range 3 West, W.M., with a date of priority of December 27, 1961. This right was acquired under the terms of permit No. G-2023 in the name of Joe W. Oppek who completed and filed satisfactory proof of appropriation with the State Engineer on August 7, 1964.

The applicant herein, owner of the lands above described, proposes to irrigate said lands by means of a well, the point of diversion of said well being located 375 feet north and 825 feet west from the southeast corner of Section 23, and being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , said Section 23, Township 6 South, Range 3 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions.

Mr. Jack E. Sceva, Geologist for this Department, has filed a report to the effect that the proposed change in point of diversion of water may be made without injury to existing rights if the new well will be developing water from the same ground water reservoir.

Mr. Myron V. Bish, Watermaster of District No. 1, has filed a report to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of diversion of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from a well, to-wit:

From the well located 250 feet north and 800 feet west from the southeast corner of Section 23, and being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , said Section 23, Township 6 South, Range 3 West, W.M.

To a new well to be located 375 feet north and 825 feet west from the southeast corner of Section 23, and being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , said Section 23, Township 6 South, Range 3 West, W.M.

for the irrigation of 7.0 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 23, Township 6 South, Range 3 West, W.M., with a date of priority of December 27, 1961, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1965.

It is FURTHER ORDERED that the new well shall be so constructed that water will be withdrawn only from the ground water reservoir which supplied the old well.

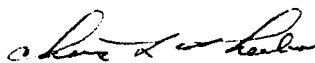
It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of completion of the change in point of diversion, certificate of water right shall be issued to Joe W. Oppek confirming said change in point of diversion and the application of water to beneficial use under the terms of permit No. G-2023 for irrigation of the above described lands.

Dated at Salem, Oregon, this 6th day of November, 1964.

*Filed on record*

*App # G-2194*

*Per # G-2194*



CHRIS L. WHEELER  
State Engineer