

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BENTON COUNTY

IN THE MATTER OF THE APPLICATION OF )	
DAVID BARCLAY FOR APPROVAL OF A )	
CHANGE IN POINT OF APPROPRIATION OF )	ORDER APPROVING
WATER )	TRANSFER 5263

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On May 12, 1983, an application was filed in the office of the Water Resources Director by David Barclay for approval of a change in points of appropriation of water from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 42066, Volume 34, State Record of Water Right Certificates, in the name of David Barclay, describes a right for the use of not to exceed 1.56 cubic feet per second from ground water for irrigation of:

Well 1

- 39.5 acres NE 1/4 SW 1/4
- 16.6 acres NW 1/4 SW 1/4
- 6.7 acres SW 1/4 SW 1/4
- 12.7 acres SE 1/4 SW 1/4
- 2.4 acres NW 1/4 SE 1/4
- 0.2 acre SW 1/4 SE 1/4

Well 2

- 20.8 acres NE 1/4 SE 1/4
- 30.4 acres NW 1/4 SE 1/4
- 10.0 acres SW 1/4 SE 1/4
- 0.1 acre SE 1/4 SE 1/4

all as projected within J. Barclay DLC 43, Section 3, Township 14 South, Range 5 West, WM, with a date of priority of December 8, 1969.

The authorized points of appropriation are located 1) 980 feet North and 1220 feet West from the Northeast Corner of W. Barclay DLC 43, being within the NE 1/4 SW 1/4, and 2) 960 feet North and 940 feet West from the Northeast Corner of W. Barclay DLC 42, being within the NW 1/4 SE 1/4, both in Section 3, Township 14 South, Range 5 West, WM.

The applicant herein, owner of the lands above described, proposes to change the points of appropriation therefrom to two wells located 1) 970 feet North and 1740 feet West from the Northeast Corner of W. Barclay DLC 43, being within the NE 1/4 SW 1/4, and 2) 810 feet North and 230 feet West from the Northeast Corner of W. Barclay DLC 43, being within the NW 1/4 SE 1/4, both in Section 3, Township 14 South, Range 5 West, WM.

L. Gene McGinnis, Watermaster, has filed a statement to the effect that the proposed change in points of appropriation may be made without injury to existing rights.

Frederick G. Lissner, Hydrogeologist, has filed a statement to the effect that the proposed change in points of appropriation may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in points 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 points of appropriation is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water appropriated at the new wells shall not exceed the quantity of water available at the old wells under the subject right, and shall not exceed 1.56 cubic feet 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 measuring devices:

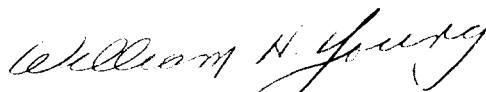
That the pump system shall include an in line flow meter or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the 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 points of appropriation of water made on or before October 1, 1985.

It is FURTHER ORDERED that the certificate recorded at page 42066, Volume 34, State Record of Water Right Certificates, is canceled; and upon proof satisfactory to the Water Resources Direction 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 18th day of November, 1983.



WILLIAM H. YOUNG  
Director

NOTE: The 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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