

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MALHEUR COUNTY

IN THE MATTER OF THE APPLICATION OF)	
THE POPLARS RANCH, INCORPORATED,)	ORDER APPROVING
FOR APPROVAL OF A CHANGE IN PLACE)	TRANSFER 5293
OF USE OF WATER)	

On June 16, 1983 an application was filed in the office of the Water Resources Director by The Poplars Ranch, Incorporated, for approval of a change in place of use of water from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 33067, Volume 25, State Record of Water Right Certificates, in the name of Merritt Parks, describes a right which includes the use of not to exceed 0.29 cubic foot per second from ground water for irrigation of 7.0 acres in NW 1/4 SW 1/4, 8.5 acres in SW 1/4 SW 1/4 and 7.9 acres in SE 1/4 SW 1/4, Section 34, Township 26 South, Range 15 East, WM, with a date of priority of December 29, 1954.

The authorized point of appropriation is located 80 feet North and 50 feet East from the Southwest Corner of Section 34, being within the SW 1/4 SW 1/4 of Section 34, Township 26 South, Range 15 East, WM (Well 3).

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom to a certain 4.1 acres in NE 1/4 SW 1/4, 9.4 acres in NW 1/4 SW 1/4, and 9.9 acres in SE 1/4 SW 1/4 of said Section 34.

Dennis R. Glender, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use is approved, without loss of priority.

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:

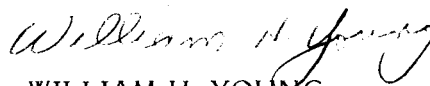
That the pump system shall include an in line flow meter or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

It is FURTHER ORDERED that the change in place of use shall be completed on or before October 1, 1985.

It is FURTHER ORDERED that 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, the certificate of water right heretofore issued to Merritt Parks and recorded at page 33067, Volume 25, State Record of Water Right Certificates, be canceled; and in lieu thereof a new certificate of water right be issued to the applicant herein confirming the change authorized herein and covering the balance of the right NOT involved in this proceeding.

Dated at Salem, Oregon this 29th 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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