

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

LANE COUNTY

IN THE MATTER OF THE APPLICATION)
OF MICHAEL LAWRENCE HORTON FOR)
APPROVAL OF A CHANGE IN POINT OF)
APPROPRIATION FROM GROUND WATER)

ORDER APPROVING
TRANSFER NO. 4069

On October 10, 1978, an application was filed in the office of the Water Resources Director by Michael Lawrence Horton 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 38356, Volume 30, State Record of Water Right Certificates, in the name of Estate of Cleofes C. Wright, describes a right for the use of not to exceed 0.11 cubic foot per second from a certain ground water aquifer for irrigation of a certain 7.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 1.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 16 South, Range 3 West, W.M., with a date of priority of April 30, 1969.

Water for the said right is diverted from a well located 1140 feet South and 400 feet East from the Northwest Corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 16 South, Range 3 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of appropriation therefrom, without loss of priority, to a well located 1300 feet South and 350 feet East from the Northwest Corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 16 South, Range 3 West, W.M.

Mr. William S. Bartholomew, Hydrogeologist, Water Resources Department, has filed a statement to the effect that the proposed change in point of appropriation may be made without injury to existing rights.

Mr. L. Gene McGinnis, 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 application 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 shall not exceed the quantity of water available at the old point of

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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 measuring devices:

That the diversion works 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 NO time need be fixed for completion as the change in point of appropriation is completed.

It is FURTHER ORDERED that the certificate of water right recorded at page 38356, Volume 30, 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 19th day of March, 1979.

By  Deputy

James E. Sexson^{Dir.}
Director