BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION OF   )
OREGON STATE PENITENTIARY FOR   )   ORDER APPROVING
APPROVAL OF A CHANGE IN POINT   )   TRANSFER 5757
OF APPROPRIATION OF WATER   )

On February 14, 1986, an application was filed in the office of the Water Resources Director by Oregon State Penitentiary 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 27414, Volume 19, State Record of Water Right Certificates, in the name of State of Oregon Penetentiary (sic), describes a right for the use of not to exceed 1.0 cubic foot per second from ground water for institutional use in SW 1/4 NW 1/4,   SE 1/4 NW 1/4,   NE 1/4 SW 1/4   and   NW 1/4 SW 1/4,   Section 25, Township 7 South, Range 3 West, WM, with a date of priority of October 18, 1956.

The authorized points of appropriation are located: Well 4, NE 1/4 SW 1/4; Well 5, SW 1/4 NE 1/4 of Section 25, Township 7 South, Range 3 West, WM.

The applicant herein, owner of the lands above described, proposes to change the point of appropriation of Well 5 therefrom to a new well to be located 3016 feet North and 2319 feet West from the Southeast Corner of Section 25, being within the SW 1/4 NE 1/4 of Section 25, Township 7 South, Range 3 West, WM.

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.

Robert A. Back, Hydrogeologist, 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 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, together with that appropriated at Well 4, shall not exceed the quantity of water available at the old wells under the subject right, and shall not exceed 1.0 cubic foot 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:
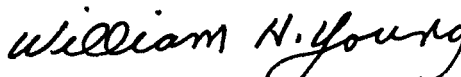
That the pump system shall include an in-line flow meter or other suitable device for measuring the water to which the applicant is entitled;

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 point of appropriation of water made on or before October 1, 1987.

It is FURTHER ORDERED that the certificate recorded at page 27414, Volume 19, 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 ___26th___ day of March, 1986.

william H. Young

WILLIAM H. YOUNG
Director

NOTE: 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.

A party may file objections and exceptions to the Proposed Order with the Water Resources Commission. Such objections and exceptions must be filed within 45 days from the date of service (date of mailing) of the Proposed Order on the party. The Commission will provide opportunity for oral argument in support of written objections and exceptions. If no objections and exceptions are filed within the time allowed, the Proposed Order will automatically become the Final Order of the Commission.

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