

BEFORE THE STATE ENGINEER OF OREGON

Umatilla County

IN THE MATTER OF THE APPLICATION)
OF ROY, MABEL AND SCOTT REDFEARN)
FOR THE APPROVAL OF A CHANGE IN)
POINT OF DIVERSION OF WATER FROM)
EAST CROCKETT BRANCH LITTLE WALLA)
WALLA RIVER)
- - - - -

ORDER APPROVING
TRANSFER NO. R-80

On December 3, 1964, Roy, Mabel and Scott Redfearn of Milton-Freewater, Oregon, filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from East Crockett Branch Little Walla Walla River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Umatilla County, Oregon, entered May 16, 1932, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Walla Walla River and its Tributaries, a water right was allowed in the name of Claude Bradfield for the use of 0.096 cubic foot per second of the waters of East Crockett Branch Little Walla Walla River for the irrigation of 2.55 acres in the SE½ NE½, Section 35, Township 6 North, Range 35 East, W.M., with a date of priority of 1892. This right is confirmed by certificate recorded at page 12554, Volume 11, State Record of Water Right Certificates. These lands are irrigated from a point of diversion located 1850 feet south from the southeast corner of the NE½, Section 35, and being within the SE½ SE½, said Section 35, Township 6 North, Range 35 East, W.M.

The applicants herein, owners of the lands above described, propose to irrigate these lands by means of a point of diversion to be located 635 feet north and 400 feet west from the southeast corner of the NE½, Section 35, and being within the SE½ NE½, said Section 35, Township 6 North, Range 35 East, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely: at the

County Courthouse in Pendleton, Oregon, on March 11, 1965, at 9:30 a.m. The notice was published in the Valley Herald, a newspaper printed and having general circulation in Umatilla County, Oregon, for a period of three weeks in the issues of January 14, 21 and 28, 1965. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Jerry F. Haines, Watermaster of District No. 5, 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.

No objections having been filed and it appearing that the proposed change in point of diversion 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 diversion of water from East Crockett Branch Little Walla Walla River, to-wit:

From a point located 1850 feet south from the southeast corner of the NE $\frac{1}{4}$, Section 35, and being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 35, Township 6 North, Range 35 East, W.M.

To a point to be located 635 feet north and 400 feet west from the southeast corner of the NE $\frac{1}{4}$, Section 35, and being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 35, Township 6 North, Range 35 East, W.M.

for the irrigation of 2.55 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, Township 6 North, Range 35 East, W.M., with a date of priority of 1892, 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 quantity of water diverted at the new point of diversion shall not exceed the quantity of water that is available at the old point of diversion and shall not exceed 0.096 cubic foot per second.

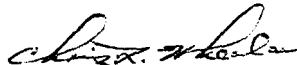
It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed:

That the diversion works and related works shall include a weir or other suitable device for measuring the water to which the applicant is entitled.

That the plans of the weir or other suitable 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 certificate of water right heretofore issued to Claude Bradfield and recorded at page 12554, Volume 11, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Mabel, Roy and Scott Redfearn confirming said change in point of diversion.

Dated at Salem, Oregon, this 21st day of April, 1965.



CHRIS L. WHEELER
State Engineer