

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

IN THE MATTER OF THE APPLICATION )  
OF WILLIAM HULSE FOR APPROVAL OF )  
A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM FIFTEENMILE CREEK )  
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ORDER APPROVING  
TRANSFER NO. 3934

On April 18, 1978, an application was filed in the office of the Water Resources Director by William Hulse for approval of a change in point of diversion from Fifteenmile Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The decree of the Circuit Court for Wasco County, Oregon, entered July 3, 1978, confirmed the right described by the certificate recorded at page 5665, Volume 6, State Record of Water Right Certificates, for the use of water from Fifteenmile Creek for irrigation of, among other lands, a certain 8.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 34, Township 1 South, Range 13 East, W.M., with a date of priority of 1885.

Water for the said right is diverted, through the Strachan Ditch, from a point located 1720 feet North and 1830 feet West from the Southeast Corner of Section 32, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 32, Township 1 South, Range 13 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 1450 feet South and 1080 feet East from the Northwest Corner of Section 34, being within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 34, Township 1 South, Range 13 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in The Dalles Chronicle, a newspaper printed and having general circulation in Wasco County, Oregon, for a period of three weeks in the issues of February 13, 20 and 27, 1980.

Mr. Thomas J. Paul, Watermaster, has filed a statement to the effect that the proposed change in point of diversion 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 requested change in point of diversion, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion 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 headgates and measuring devices:

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

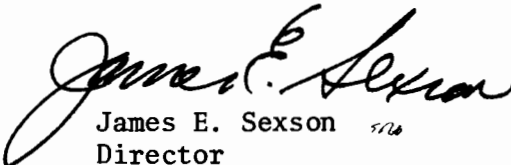
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1981.

The order of the Water Resources Director entered March 30, 1979, approving transfer No. 3678, provided for cancellation of the certificate recorded at page 5665, Volume 6, State Record of Water Right Certificates; therefore,

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, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 8th day of April, 1980.

  
James E. Sexson  
Director