

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Union County

IN THE MATTER OF THE APPLICATION  
OF LEONARD HUFFMAN FOR THE  
APPROVAL OF A CHANGE IN POINT OF  
DIVERSION OF WATER FROM CATHERINE  
CREEK

ORDER APPROVING  
TRANSFER NO. 3079

On July 1, 1974, Leonard Huffman filed an application for transfer of water right in the office of the Water Resources Director proposing a change in point of diversion under an existing right of record from Catherine Creek.

The Decree of the Court dated August 8, 1925, In the Adjudication of the Grande Ronde River and its Tributaries above the mouth of Gordon Creek, as corrected by an order of the Circuit Court of the State of Oregon for Union County, dated August 16, 1976, allowed a right to appropriate the waters of Catherine Creek, with a date of priority of 1903, for irrigation of 40.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 4, Township 4 South, Range 39 East, W.M., tabulated in the name of W. R. Hutchinson on Page 51.

These lands are irrigated from a point of diversion located 1700 feet South and 4350 feet East from the Northwest corner of Section 15, being within the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 15, Township 4 South, Range 39 East, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 3940 feet North and 2830 feet East from the Northwest corner of Section 15, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 10, Township 4 South, Range 39 East, W.M.

Notice of the application, pursuant to ORS 540.510, was published in the La Grande Observer, a newspaper printed and having general circulation in Union County, Oregon, for a period of three weeks in the issues of September 8, 15 and 22, 1976.

Mr. H. Boyd Hadden, Watermaster of District No. 6, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objection 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 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, and shall not exceed 3 acre-feet per acre in any irrigation season diverted at a rate of not to exceed 1/40th cubic foot per second per acre.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement 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.

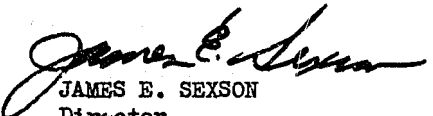
It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1977.

The certificate issued in the name of W. R. Hutchinson and recorded at Page 33238, Volume 25, State Record of Water Right Certificates, to confirm certain rights allowed by decree of the court in the adjudication of the Grande Ronde River and its tributaries above the mouth of Gordon

Creek includes the right involved in this proceeding. Therefore:

It is FURTHER ORDERED that the certificate of water right heretofore issued to W. R. Hutchinson and recorded at Page 33238, Volume 25, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the right not involved in this proceeding, 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 Leonard Huffman.

Dated at Salem, Oregon, this 9th day of November, 1976.

  
JAMES E. SEXSON  
Director