

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION OF)
BETTY FULLETON FOR APPROVAL OF A) ORDER APPROVING
CHANGE IN POINT OF APPROPRIATION) TRANSFER 5847
OF WATER)

On August 27, 1986, an application was filed in the office of the Water Resources Director by Betty Fulleton 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 26079, Volume 18, State Record of Water Right Certificates, in the name of Agnes Wight, describes a right for the use of not to exceed 0.34 cubic foot per second from ground water for irrigation of 14.6 acres in SE 1/4 SW 1/4 and 7.2 acres in SW 1/4 SE 1/4, Section 31, Township 3 North, Range 30 East, WM; and 27.4 acres in NE 1/4 NW 1/4, Section 6, Township 2 North, Range 30 East, WM, with a date of priority of April 6, 1955.

The authorized point of appropriation is located 275 feet North and 15 feet West from the South Quarter Corner of Section 31, being within the SE 1/4 SW 1/4 of Section 31, Township 3 North, Range 30 East, WM.

The applicant herein, owner of the lands above described, proposes to change the point of appropriation therefrom to a sump located 330 feet South and 1040 feet West from the North Quarter Corner of Section 6, being within the NE 1/4 NW 1/4 of Section 6, Township 2 North, Range 30 East, WM. The change in point of appropriation is reported to be completed.

Michael F. Ladd, Watermaster, has filed a statement to the effect that the proposed change in point of appropriation may be made without injury to existing rights.

Michael J. Zwart, 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 sump shall not exceed the quantity of water available at the old sump under the subject right, and shall not exceed 0.34 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 access port for measuring the water level;

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;

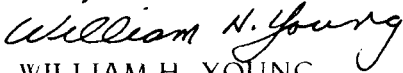
That the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the measuring device be installed under the general supervision of said Watermaster.

It is FURTHER ORDERED that at such time as distribution of water from the Umatilla River becomes necessary, water from the new authorized point of appropriation be distributed as surface water.

It is FURTHER ORDERED that the right to appropriate water from the sump described in Certificate 26079 is hereby canceled, and water shall be appropriated from the new sump on or before October 1, 1988.

It is FURTHER ORDERED that the certificate recorded at page 26079, Volume 18, 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, 1987.


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.

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