

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION OF )  
VIRGEL AMMONS FOR APPROVAL OF A )  
CHANGE IN POINT OF APPROPRIATION )  
OF GROUND WATER )

ORDER APPROVING  
TRANSFER NO. 3587

On March 16, 1977, an application was filed in the office of the Water Resources Director by Virgel Ammons for a change in point of appropriation of ground water under an existing water right, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 41943, Volume 33, State Record of Water Right Certificates, in the name of Vernon E. Brumbach, describes a right which includes the use of not to exceed 0.05 cubic foot per second from a well for irrigation of 4.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 30, Township 6 North, Range 36 East, W.M., with a priority date of November 6, 1961.

Water for the said right is diverted from a well located 610 feet South and 1100 feet West from the East quarter corner of Section 25, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 25, Township 6 North, Range 35 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of appropriation, without loss of priority, to a well located 440 feet South and 500 feet East from the West quarter corner of Section 30, being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 30, Township 6 North, Range 36 East, W.M.

Notice of the application, pursuant to ORS 540.510, 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 May 12, 19 and 26, 1977.

Mr. William I. Porfily, Watermaster, 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 requested change in point of appropriation, 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, and shall not exceed 0.05 cubic foot per second.

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:

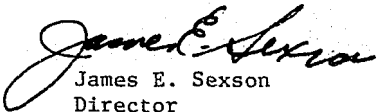
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Vernon E. Brumbach and recorded at page 41943, Volume 33, 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 the applicant herein.

Dated at Salem, Oregon, this 4th day of August, 1977.

  
James E. Sexson  
Director