

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UNION COUNTY

IN THE MATTER OF THE APPLICATION OF)
ELWYN D. & BARBARA BINGAMAN FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 2993

On March 7, 1974, an application was filed in the office of the Water Resources Director by Elwyn D. and Barbara Bingaman for approval of a change in point of diversion from Grand Ronde River, pursuant to the provisions of ORS 540.510 to 540.530.

Pursuant to the provisions of ORS 537.260 (2), proof has been made to the satisfaction of the Water Resources Director that a right has been perfected under the terms of permit No. 30845 in the names of Elwyn D. & Barbara Bingaman, for use of not to exceed 0.9 cubic foot per second from Grand Ronde River for irrigation of a certain 39.6 acres in NE 1/4 SE 1/4 and 39.0 acres in NW 1/4 SE 1/4 of Section 32, Township 1 South, Range 39 East, W.M., with a priority date of March 16, 1965.

Water for the said right is diverted from a point located 1470 feet North and 950 feet West from the Southeast Corner of Section 33, being within the NE 1/4 SE 1/4 of Section 33, Township 1 South, Range 39 East, W.M.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom, without loss of priority, to a point located 300 feet South and 1130 feet West from the Northeast Corner of Section 32, being within the NE 1/4 NE 1/4 of Section 32, Township 1 South, Range 39 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Observer, a newspaper printed and having general circulation in Union County, Oregon, for a period of three weeks in the issues of January 24 and 31, and February 7, 1980.

Mr. H. Boyd Hadden, 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 NO time need be fixed for completion as the change in point of diversion is completed.

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 applicants herein.

Dated at Salem, Oregon this 9th day of May, 1980.



JAMES E. SEXSON
Director
by CHRIS L. WHEELER
Deputy Director *srw*