

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION)
OF ELDIN W. AND LORRAINE REED)
FOR APPROVAL OF A CHANGE IN)
POINT OF DIVERSION OF WATER)

ORDER APPROVING
TRANSFER 4509

On May 19, 1980, an application was filed in the office of the Water Resources Director by Eldin W. and Lorraine Reed for approval of a change in point of diversion of water from East Prong of Little Walla Walla River, Spring Branch, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Umatilla County, Oregon, entered May 16, 1932, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Walla Walla River and Its Tributaries, water rights were established in the names of D.B. Herndon, tabulated in Volume 12, page 147, and Galen F. Ramsey, tabulated in Volume 12, page 222, Order Record of the Water Resources Director, for use of the waters of East Prong of Little Walla Walla River, Spring Branch, for irrigation of, among other lands, a certain 4.7 acres (Herndon) and 5.0 acres (Ramsey) in SE 1/4 NW 1/4, Section 23, Township 6 North, Range 35 East, WM, with a date of priority of 1875, as evidenced by the certificates recorded at pages 12767 and 13140, Volume 11, State Record of Water Right Certificates.

Water for the said rights is diverted, through the Boisy Ditch, from a point located 1,190 feet South and 600 feet West from the Northeast Corner of SE 1/4 NW 1/4, Section 23, being within the SE 1/4 NW 1/4 of Section 23, Township 6 North, Range 35 East, WM.

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 470 feet South and 630 feet East from the Northwest Corner of SE 1/4 NW 1/4, being within the SE 1/4 NW 1/4, Section 23, Township 6 North, Range 35 East, WM.

Steven P. Applegate, 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 carried out prior to the diverting of water at the new point of diversion as herein confirmed:

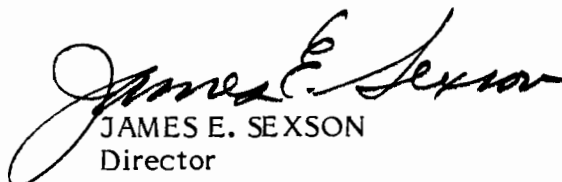
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the certificates recorded at pages 12767 and 13140, Volume 11, State Record of Water Right Certificates, are 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 applicants herein.

Dated at Salem, Oregon this 19th day of January, 1981.


JAMES E. SEXSON
Director