

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION OF)
WENDELL LAMPKIN FOR APPROVAL OF AN)
ADDITIONAL POINT OF DIVERSION OF)
WATER)

ORDER APPROVING
TRANSFER 5369

On September 13, 1983, an application was filed in the office of the Water Resources Director by Wendell Lampkin for approval of an additional point of diversion of water from Stanfield Drain, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 46830, Volume 39, State Record of Water Right Certificates, in the names of J.J. Oberson and L.M. Gossler, describes a right for the use of not to exceed 0.94 cubic foot per second from Stanfield Drain, for irrigation of a certain 9.5 acres in SE 1/4 NW 1/4, 4.2 acres in NE 1/4 SW 1/4, 6.0 acres in NE 1/4 SE 1/4, 6.6 acres in SE 1/4 SE 1/4 and supplemental irrigation of 30.1 acres in SW 1/4 NE 1/4 and 4.8 acres in SE 1/4 NE 1/4, all in Section 31, Township 4 North, Range 29 East, WM, with a date of priority of November 18, 1947.

Water for the said right is diverted from a point located 1550 feet North and 15 feet West from the Southeast Corner of Section 31, being within the NE 1/4 SE 1/4 of Section 31, Township 4 North, Range 29 East, WM.

The applicant herein, owner of the lands above described, proposes to construct an additional point of diversion at a point located 1800 feet South and 1500 feet West from the Southeast Corner of Section 31, being within the NW 1/4 SE 1/4 of Section 31, Township 4 North, Range 29 East, WM.

Notice of the application, pursuant to ORS 540.520(2), was published in the Hermiston Herald, a newspaper printed and having general circulation in Umatilla County, Oregon, for a period of three weeks in the issues of February 29, March 7 and 14, 1984.

Larry H. Nunn, Watermaster, has filed a statement to the effect that the proposed additional point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed additional point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed additional point of diversion is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion, together with that diverted at the old 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 0.94 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 headgates and measuring devices:

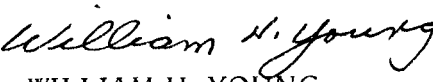
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 water used from the proposed additional point of diversion on or before October 1, 1985.

It is FURTHER ORDERED that the certificate recorded at page 46830, Volume 39, 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 7th day of May, 1984.


WILLIAM H. YOUNG^{s, 126}
Director

NOTE: The 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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