

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION)
OF HULETTE JOHNSON FOR APPROVAL)
OF A CHANGE IN POINT OF DIVER-)
SION OF WATER)

ORDER APPROVING
TRANSFER NO. 3887

On February 21, 1978, an application was filed in the office of the Water Resources Director by Hulette Johnson for approval of a change in point of diversion from Little Walla Walla River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 32347, Volume 24, State Record of Water Right Certificates, in the name of Pleasant View Irrigation Company, describes a right which includes the use of not to exceed 0.4 cubic foot per second from Little Walla Walla River for irrigation of a certain 25.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 7.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, Township 6 North, Range 35 East, W.M., with a date of priority of March 25, 1912.

The certificate recorded at page 32348 of said volume, in the name of Pleasant View Irrigation Company, describes a right which includes the use of not to exceed 0.8 cubic foot per second from Little Walla Walla River for supplemental irrigation of said 25.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 7.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 33, with a date of priority of January 16, 1959.

Water for the said rights is diverted, through the Pleasant View Ditch, from a point located 642 feet South and 533 feet West from the Northeast Corner of Section 2, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, Township 5 North, Range 35 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 925 feet South and 300 feet West from the Northeast Corner of Section 2, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 2 (Milton-Freewater & Hudson Bay Canal).

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 4, 11 and 18, 1978.

Mr. William I. Porfily, 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 rights.

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:

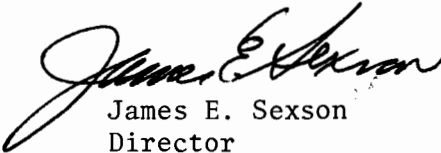
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 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 certificates of water right recorded at pages 32347 and 32348, Volume 24, State Record of Water Right Certificates, are canceled; and in lieu thereof new certificates be issued covering the balance of the rights 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, confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 30th day of June, 1978.


James E. Sexson
Director