

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION)
OF HAROLD POPPWELL & DICK LEISKE)
FOR APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4408

On February 28, 1980, an application was filed in the office of the Water Resources Director by Harold Poppwell & Dick Leiske for approval of a change in place of use of water from Walla Walla River pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 12925, Volume 11, State Record of Water Right Certificates, in the name of Hattie Beardsley, describes a right which includes the use of not to exceed one and one-half miners inches per acre from Walla Walla River for irrigation of a certain 3.6 acres in SE 1/4 SE 1/4 of Section 12, Township 5 North, Range 35 East, W.M., with a date of priority of 1880.

The certificate recorded at page 12963, Volume 11, State Record of Water Right Certificates, in the name of E. D. Green, describes a right for the use of not to exceed one and one-half miners inches per acre from Walla Walla River for irrigation of a certain 1.21 acres in SE 1/4 SE 1/4 of said Section 12, with a date of priority of 1875.

Water for the said rights is diverted, through the Milton Ditch, from a point located 410 feet North and 63 feet East from the Southwest Corner of NW 1/4 of Section 18, being within the SW 1/4 NW 1/4 of Section 18, Township 5 North, Range 36 East, W.M.

The applicants herein, owners of the lands above described, propose to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 4.81 acres in NE 1/4 NW 1/4 of Section 3, Township 5 North, Range 35 East, W.M. (Lee Stephens).

Mr. Steven P. Applegate, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that the certificates recorded at pages 12925 & 12963, Volume 11, State Record of Water Right Certificates, are canceled; and in lieu thereof a new certificate be issued covering the balance of the right under Certificate 12925 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 Lee Stephens.

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


JAMES E. SEXSON
Director