

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION OF)
RIETH WATER DISTRICT FOR APPROVAL OF)
CHANGES IN PLACE OF USE AND USE)
HERETOFORE MADE OF WATER)

ORDER APPROVING
TRANSFER 5015

On April 16, 1982, an application was filed in the office of the Water Resources Director by Rieth Water District for approval of changes in place of use and use of water from a well, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 15711, Volume 13, State Record of Water Right Certificates, in the name of Oregon-Washington Railroad and Navigation Company, describes a right for the use of not to exceed 1.11 cubic feet per second from a well for general railroad use in NE 1/4 SW 1/4 and SW 1/4 SW 1/4, Section 7, Township 2 North, Range 32 East, WM, with a date of priority of July 8, 1946.

Water for the said right is diverted from a point located 3,822 feet South and 1,586 feet East from the Northwest Corner of Section 7, being within the NE 1/4 SW 1/4 of Section 7, Township 2 North, Range 32 East, WM, incorrectly noted as being within the SW 1/4 SW 1/4 of said Section 7.

The applicant herein proposes to change the place of use and use of water therefrom to quasi-municipal use, without loss of priority, in SW 1/4 of Section 7, Township 2 North, Range 32 East; S 1/2 SE 1/4, Section 12, and N 1/2 NE 1/4, Section 13, Township 2 North, Range 31 East, WM.

Notice of the application, pursuant to ORS 540.520(2), was published in the East Oregonian, a newspaper printed and having general circulation in Umatilla County, Oregon, for a period of three weeks in the issues of April 26, May 3 and 10, 1982.

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

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

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use and use heretofore made, as described herein, without loss of priority, are approved, WITH THE FOLLOWING CONDITIONS.

The quantity of water used for the proposed purpose shall not exceed 1.11 cubic feet per second.

The following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

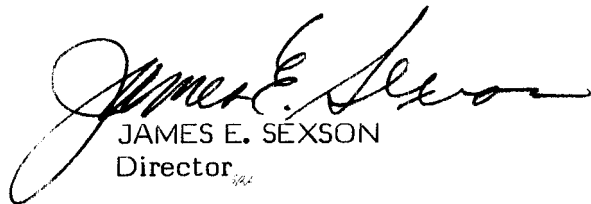
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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.

NO time need be fixed for completion as the changes in place of use and use heretofore made are completed.

It is FURTHER ORDERED that the certificate recorded at page 15711, Volume 13, 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 16th day of June, 1982.


JAMES E. SEXSON
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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