

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION)
OF L. E. VON DERAHE FOR APPROVAL)
OF A CHANGE IN POINT OF APPRO-)
PRIATION OF WATER)

ORDER APPROVING
TRANSFER NO. 4500

On May 12, 1980, an application was filed in the office of the Water Resources Director by L. E. Von Derahe for approval of a change in point of appropriation from a well, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 22881, Volume 16, State Record of Water Right Certificates, in the name of C. R. Nelson, describes a right for the use of not to exceed 0.538 cubic foot per second from a well for irrigation of a certain 7.0 acres in SW 1/4 SW 1/4, Section 30 and 36.0 acres in NW 1/4 NW 1/4, Section 31, Township 6 North, Range 36 East, W.M., with a date of priority of February 13, 1952.

The point of appropriation is located 510 feet South and 150 feet East from the Northwest Corner of Section 31, being within the NW 1/4 NW 1/4 of Section 31, Township 6 North, Range 36 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of appropriation, without loss of priority, to a well located 300 feet South and 500 feet East from the Northwest Corner of Section 31, being within the NW 1/4 NW 1/4 of Section 31, Township 6 North, Range 36 East, W.M.

Mr. Steven P. Applegate, Watermaster, and Mr. Donn W. Miller, Hydrologist, have filed statements to the effect that the proposed change in point of appropriation may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of appropriation 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 appropriation, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water appropriated at the new point of appropriation shall not exceed the quantity of water available at the old point of appropriation under the subject right.

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:

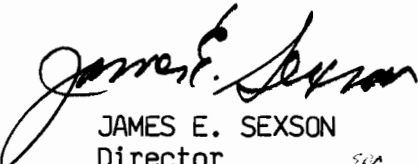
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the change in point of appropriation of water made on or before October 1, 1981.

It is FURTHER ORDERED that the certificate recorded at page 22881, Volume 16, 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 11th day of June, 1980.


JAMES E. SEXSON
Director