

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

GRANT COUNTY

IN THE MATTER OF THE APPLICATION)
OF RAMONA MORRIS FOR APPROVAL OF)
AN ADDITIONAL POINT OF DIVERSION)
OF WATER)

ORDER APPROVING
TRANSFER 4846

On August 6, 1981, an application was filed in the office of the Water Resources Director by Ramona Morris for approval of an additional point of diversion of water from John Day River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Grant County, Oregon, entered November 16, 1956, In the Matter of the Determination of the Relative Rights to the Use of the Waters of John Day River and Its Tributaries, a water right was established in the name of Jemima J. Allen, tabulated in Volume 10, page 448, Order Record of the Water Resources Director, for use of the waters of John Day River for irrigation of a certain 12.0 acres in NW 1/4 SE 1/4, Section 19, Township 13 South, Range 31 East, WM, with a date of priority of 1868, as evidenced by the certificate recorded at page 24825, Volume 17, State Record of Water Right Certificates.

The certificate recorded at page 21319, Volume 15, State Record of Water Right Certificates, in the names of James A. Wyllie and Clark Morris, describes a right for the use of not to exceed 0.52 cubic foot per second from John Day River for irrigation of 20.6 acres in NW 1/4 SE 1/4, Section 19, Township 13 South, Range 31 East, WM, with a date of priority of October 24, 1951.

The certificate recorded at page 29844, Volume 21, State Record of Water Right Certificates, in the name of Clark Morris, describes a right for the use of not to exceed 0.22 cubic foot per second from John Day River for irrigation of a certain 6.0 acres in NW 1/4 SE 1/4 and 3.0 acres in SW 1/4 SE 1/4, Section 19, Township 13 South, Range 31 East, WM, with a date of priority of April 30, 1956.

Water for the said rights is diverted, through the Laycock-Long Ditch, from a point located 100 feet North and 690 feet East from the West Quarter Corner of Section 21, being within the SW 1/4 NW 1/4 of Section 21, Township 13 South, Range 31 East, WM.

The applicant herein, owner of the lands above described, proposes to construct an additional point of diversion, without loss of priority, at a point located 1,100 feet North and 500 feet East from the South Quarter Corner of Section 19, being within the SW 1/4 SE 1/4 of Section 19, Township 13 South, Range 31 East, WM.

Notice of the application, pursuant to ORS 540.520(2), was published in The Blue Mountain Eagle, a newspaper printed and having general circulation in Grant County, Oregon, for a period of three weeks in the issues of August 13, 20, and 27, 1981.

Jerry S. Rodgers, 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 requested additional 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, 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 rights.

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:

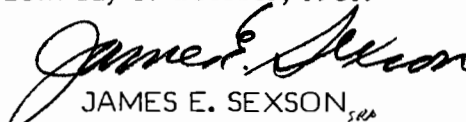
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 diversion of water made on or before October 1, 1983.

It is FURTHER ORDERED that the certificates recorded at page 24825, Volume 17, page 21319, Volume 15 and page 29844, Volume 21, State Record of Water Right Certificates, are 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, confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 26th day of October, 1981.


JAMES E. SEXSON, SRA
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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