

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

YAMHILL COUNTY

IN THE MATTER OF THE APPLICATION OF)
ROLLIE AND TED MORRIS FOR APPROVAL)
OF CHANGES IN POINT OF DIVERSION OF)
WATER FROM AN UNNAMED STREAM)

ORDER APPROVING
TRANSFER NO. 3278

On June 30, 1975, an application was filed in the office of the Water Resources Director by Rollie and Ted Morris for changes in point of diversion under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 35196, Volume 27, State Record of Water Right Certificates, in the name of Leo R. Morris, describes a right for the use of not to exceed 0.38 cubic foot per second from an unnamed stream, with a date of priority of January 25, 1963, being 0.01 cubic foot per second for stock use in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, Township 3 South, Range 4 West, W.M.; and 0.37 cubic foot per second for irrigation of 3.7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 17.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.3 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 3.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 1.0 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 6.

Water for stock is diverted from a point located 4570 feet North and 3160 feet West from the Northwest corner of McSween D.L.C. No. 80, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 6.

Water for irrigation is diverted from a point located 4110 feet North and 3030 feet West from the Northwest corner of the McSween D.L.C. No. 80, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 6.

The applicants herein, owners of the lands above described, propose to change the point of diversion for irrigation from the above described location to a point located 3130 feet North and 2900 feet West from the Northwest corner of the

McSween D.L.C. No. 80, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 6.

The applicants also propose to change the point of diversion for stock-water from the location described above to a point located 670 feet South and 3540 feet West from the Northeast corner of the E. S. Morris D. L. C. No. 81, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 6.

Mr. Benjamin E. Monroe, Watermaster, has filed a statement to the effect that the proposed changes in point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes 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 changes in point of diversion as described herein, without loss of priority, are approved.

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

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install head-gates and measuring devices:

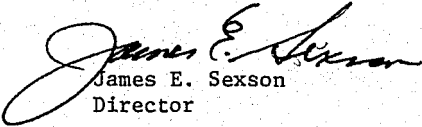
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 changes in point of diversion of water made on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Leo R. Morris and recorded at page 35196, Volume 27, 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 22nd day of September, 1977.


James E. Sexson
Director