

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UNION COUNTY

IN THE MATTER OF THE APPLICATION)
OF DON DODSON FOR APPROVAL OF A)
CHANGE IN POINT OF DIVERSION OF)
WATER)

ORDER APPROVING
TRANSFER 4669

On December 26, 1980, an application was filed in the office of the Water Resources Director by Don Dodson for approval of a change in point of diversion of water from Wolf Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Union County, Oregon, entered March 18, 1918, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Powder River and Its Tributaries, a water right was established in the name of C. R. Hibbard, tabulated in Volume 3, page 396, Order Record of the Water Resources Director, for use of the waters of Wolf Creek for irrigation of, among other lands, a certain 30.0 acres in NE 1/4 SW 1/4, 40 acres in NW 1/4 SW 1/4, Section 14 and 40.0 acres in NE 1/4 SE 1/4, Section 15, Township 6 South, Range 39 East, WM, with a date of priority of 1879, as evidenced by the certificate recorded at page 4214 , Volume 5, State Record of Water Right Certificates. These lands also have a supplemental right under Permit 42690.

Water for the said right is diverted, through the Walk Ditch, from a point located 530 feet South and 2,330 feet West from the East Quarter Corner of Section 15, being within the NW 1/4 SE 1/4 of Section 15, Township 6 South, Range 39 East, WM.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom without loss of priority, to a point located 960 feet North and 1,760 feet West from the Northwest Corner of the SE 1/4 SE 1/4 of Section 15, being within the NE 1/4 SW 1/4 of Section 15, Township 6 South, Range 39 East, WM, said point being the new point of diversion of Walk Ditch.

V. Kent Searles, 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 change 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 change in 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 shall not exceed the quantity of water available at the old point of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed:

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 NO time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that the certificate recorded at page 4214, Volume 5, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right 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 the applicant herein.

Dated at Salem, Oregon this 12th day of March, 1981.


JAMES E. SEXSON S.P.A.
Director