

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Wasco County

IN THE MATTER OF THE APPLICATION)
OF RICK CANTRELL FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE AND)
POINT OF DIVERSION OF WATER FROM)
FIFTEENMILE CREEK)

ORDER APPROVING
TRANSFER NO. 3400

On April 27, 1976, Rick Cantrell filed an application for the approval of a change in point of diversion and place of use of water from Fifteenmile Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right recorded at Page 971, Volume 2, State Record of Water Right Certificates, in the names of Hubert S. and Carl E. Galligan, describes an existing right of record for the use of not to exceed 0.49 cubic foot per second from Fifteenmile Creek for irrigation of 10.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 8.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 1 South, Range 13 East, and 1.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 19.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, Township 2 South, Range 13 East, W.M., with a date of priority of October 24, 1911.

Water for the said right is diverted through the Galligan ditch from a point located 300 feet South and 1224 feet West from the East quarter-corner of Section 1, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 2 South, Range 12 East, W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the place of use and point of diversion and to sever the right therefrom and in lieu thereof irrigate a certain 21.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 6.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, and 10.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 1 South, Range 13 East, W.M., and to irrigate these lands from a point of diversion to be located 70 feet South and 1900 feet West from the Northeast corner of Section 6, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, Township 2 South, Range 13 East, W.M.

Notice of the application, pursuant to ORS 540.510 was published in The Dalles Chronicle, a newspaper printed and having general circulation in Wasco County, Oregon, for a period of three weeks in the issues of May 20 and 27 and June 3, 1976.

Mr. Thomas J. Paul, Watermaster of District No. 3, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed changes in place of use and 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 place of use and point of diversion from Fifteenmile Creek 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, and shall not exceed 0.49 cubic foot per second.

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

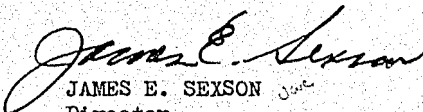
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 said water so transferred shall be applied to beneficial use on or before October 1, 1978.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Hubert S. Galligan and Carl F. Galligan and recorded at Page 971, Volume 2, 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 Rick Cantrell.

Dated at Salem, Oregon, this 7th day of March, 1977.


JAMES E. SEXSON *Sex*
Director