

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

GRANT COUNTY

IN THE MATTER OF THE APPLICATION OF)
EDWARD B. UFFELMAN FOR APPROVAL OF)
CHANGES IN PLACE OF USE AND POINT OF)
DIVERSION OF WATER FROM JOHN DAY RIVER)

ORDER APPROVING
TRANSFER NO. 3593

On March 18, 1977, an application was filed in the office of the Water Resources Director by Edward B. Uffelman for changes in place of use and point of diversion under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

As modified in accord with the provisions of the order of the Water Resources Director, entered on July 6, 1976, approving transfer application No. 3378, the right previously described by the certificate recorded at page 25851, Volume 17, State Record of Water Right Certificates, now exists for the appropriation of water from John Day River for supplemental irrigation of 5.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 14.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 11.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 4.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 13 South, Range 27 East, W.M., with a date of priority of 1906, and for irrigation of 1.9 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 8.1 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 18.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 18.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 22.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 12.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 1.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 4.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 13 South, Range 27 East, W.M., with a date of priority of March 14, 1906.

These lands are irrigated from two points of diversion located:

- (1) 198 feet South and 2084 feet East from the Southeast corner of Section 12, Township 13 South, Range 27 East, W.M., being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, Township 13 South, Range 28 East, W.M.
- (2) 1386 feet North and 1518 feet West from the Southeast corner of Section 12, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 13 South, Range 27 East, W.M.

The applicant herein, owner of the lands above described, proposes to sever the right for primary irrigation from a certain 11.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 0.9 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 2.3 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 13 South, Range 27 East, W.M. and, without loss of priority, to irrigate in lieu thereof a certain 15.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, Township 13 South, Range 28 East. W.M.

Also, the applicant proposes to maintain use of the point of diversion at location No. 2, as described above, and to change the point of diversion from the location No. 1, as described above, to a new point located 430 feet South and 1250 feet East from the Northwest corner of Section 18, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 18.

Mr. Robert F. Main, Jr., Watermaster, 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 objections 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 as described herein, without loss of priority, are 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 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:

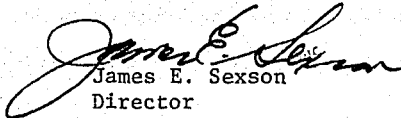
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 change in point of diversion of water made and said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that 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