

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Wallowa County

IN THE MATTER OF THE APPLICATION)
OF G. E. WOOD FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM SOUTH FORK WALLOWA)
RIVER)
-----)

ORDER APPROVING
TRANSFER NO. 3052

On May 28, 1974, G. E. Wood filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from South Fork Wallowa (Lostine) River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at Page 2940, Volume 4, State Record of Water Right Certificates, in the names of Minnie E. Allen and W. C. Boatman, describes a right which includes the use of waters of South Fork Wallowa (Lostine) River for irrigation of 24.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 1 South, Range 43 East, W.M., with a priority date of 1896.

The certificate recorded at Page 3195, Volume 4, State Record of Water Right Certificates, in the name of Geo. D. Wood, describes a right which includes use of waters of South Fork Wallowa (Lostine) River for irrigation of 40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 1 South, Range 43 East, W.M., with a priority date of 1896.

Water for the above described lands is diverted through the Boatman & Wood Ditch from a point located North 67 degrees East, 2540 feet from the Southwest corner of Section 15, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 1 South, Range 43 East, W.M.

The applicant proposes to change the point of diversion to a point located South 72 degrees East, 2880 feet from the Northwest corner of Section 22, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Township 1 South, Range 43 East, W.M.,

and take the water through the Lostine Ditch Company ditch.

Notice of the application, pursuant to ORS 540.510, was published in the Wallowa County Chieftain, a newspaper printed and having general circulation in Wallowa County, Oregon, for a period of three weeks in the issues of January 20 and 27 and February 3, 1977.

Mr. Robert W. DeBow, Watermaster of District No. 7, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objection 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 from South Fork Wallowa (Lostine) River 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 rights involved herein.

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:

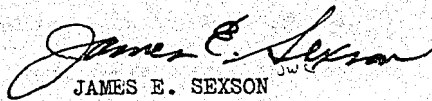
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 on or before October 1, 1978.

It is FURTHER ORDERED that the portion of the right described by the certificate recorded at Page 2940, Volume 4, State Record of Water Right Certificates, involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered March 17, 1977, approving transfer application No. 3053; and that the certificate of water right heretofore issued to Geo. D. Wood and recorded at Page 3195, Volume 4, 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 17th day of March, 1977.


JWS
JAMES E. SEXSON
Director