

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION)
OF ROY E. WILKINSON FOR APPROVAL)
OF AN ADDITIONAL POINT OF DIVER-)
SION OF WATER)

ORDER APPROVING
TRANSFER NO. 4243

On June 18, 1979, an application was filed in the office of the Water Resources Director by Roy E. Wilkinson for approval of an additional point of diversion, 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 September 7, 1976, approving water right transfer No. 3399, a portion of the right previously described by certificate recorded at page 20, Volume 1, State Record of Water Right Certificates, now exists for use of not to exceed 0.25 cubic foot per second from East Branch Mud Creek for irrigation of 12.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16 and 4.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Township 6 North, Range 35 East, W.M., with a date of priority of 1870; and 0.06 cubic foot per second from East Branch Mud Creek for irrigation of 2.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Township 6 North, Range 35 East, W.M., with a date of priority of 1892, from a point of diversion located 600 feet North and 2100 feet West from the Southeast Corner of Section 16, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16, Township 6 North, Range 35 East, W.M.

The applicant proposes to establish an additional point of diversion for the lands above described at a point located 1400 feet North and 1000 feet West from the East Quarter Corner of Section 21, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Township 6 North, Range 35 East, W.M. (Conrad Ditch).

Notice of the application, pursuant to ORS 540.520(2), was published in the Valley Herald, a newspaper printed and having general circulation in Umatilla County, Oregon, for a period of three weeks in the issues of June 28, July 5 and 12, 1979.

Mr. Steven Applegate, Watermaster, has filed a statement to the effect that the proposed additional point of diversion may be established without injury to existing rights.

No objections having been filed and it appearing that the proposed additional point of diversion may be established without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested additional 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, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the original point of diversion under the subject right, located 1400 feet North and 1000 feet West from the East Quarter Corner of Section 21, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Township 6 North, Range 35 East, W.M. (Conrad Ditch), and shall not exceed 0.25 cubic foot per second with a priority date of 1870 and 0.06 cubic foot per second with a priority date of 1892.

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 the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1980.

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 17th day of September, 1979.


James E. Sexson
Director