

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

IN THE MATTER OF THE APPLICATION)
OF IMOGENE ROSSELL FOR APPROVAL)
OF AN ADDITIONAL POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER 5275

On June 1, 1983, an application was filed in the office of the Water Resources Director by Imogene Rossell for approval of an additional point of diversion of water from Tygh Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Wasco County, Oregon, entered November 11, 1923, In the Matter of the Determination of the Relative Rights to the Use of the Waters of White River and Its Tributaries, a water right was established in the name of F.E. McCorkle, tabulated in Volume 7, page 220, Order Record of the Water Resources Director, for use of the waters of Tygh Creek for irrigation of, among other lands, a certain 7.3 acres in NW 1/4 SW 1/4 and 0.7 acre in SW 1/4 SW 1/4, Section 25, Township 3 South, Range 12 East, WM, as authorized by order of the State Engineer approving Transfer R-107, with a date of priority of 1889, as now evidenced by the certificate recorded at page 46637, Volume 39, State Record of Water Right Certificates.

Water for the said right is diverted from a point located 70 feet South and 90 feet East from the West Quarter Corner of Section 25, being within the NW 1/4 SW 1/4 of Section 25, Township 3 South, Range 12 East, WM.

The applicant herein, owner of the lands above described, proposes to construct an additional point of diversion at a point located 670 feet South and 500 feet East from the West Quarter Corner of Section 25, being within the NW 1/4 SW 1/4 of Section 25, Township 3 South, Range 12 East, WM. The additional point of diversion is reported to be completed.

Thomas J. Paul, Watermaster, has filed a statement to the effect that the proposed additional point of diversion may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the proposed additional point of diversion is approved, without loss of priority.

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 judgment 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 the certificate recorded at page 46637, Volume 39, 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 the applicant herein.

Dated at Salem, Oregon this 20th day of July, 1983.



CHRIS L. WHEELER
Deputy Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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