

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION)
OF JOHN D. HISEY FOR APPROVAL OF)
A CHANGE IN POINT OF APPROPRIA-)
TION OF WATER FROM A WELL)

ORDER APPROVING
TRANSFER NO. 3783

On September 22, 1977, an application was filed in the office of the Water Resources Director by John D. Hisey for approval of a change in point of appropriation from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 34727, Volume 16, State Record of Water Right Certificates, in the name of Louis Swearingen, describes a right which includes the use of not to exceed 0.09 cubic foot per second from a certain ground water aquifer for supplemental irrigation of a certain 19.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 6 North, Range 35 East, W.M., with a date of priority of June 8, 1964.

Water for the said water right is diverted from a well located 542 feet North and 58 feet West from the Southeast Corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 19.

The applicant herein, owner of the lands above described, proposes to change the point of appropriation therefrom, without loss of priority, to a well located 660 feet North and 20 feet East from the Center Corner of Section 19, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 19.

Mr. David Beach, Hydrogeologist, Water Resources Department, has filed a statement to the effect that the proposed change in point of appropriation may be made without injury to existing rights.

Mr. William I. Porfily, Watermaster, has filed a statement to the effect that the proposed change in point of appropriation may be made without injury to existing rights.

No objections having been filed and appearing that the proposed change in point of appropriation 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 appropriation, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water available at the old point of appropriation 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 measuring devices:

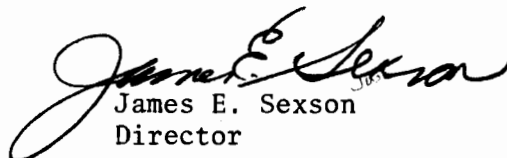
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 appropriation of water made on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Louis Swearingen and recorded at page 34727, Volume 26, 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 23rd day of February, 1978.


James E. Sexson
Director