

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION )  
OF JOHN E. CORREA FOR APPROVAL )  
OF ADDITIONAL POINTS OF )  
DIVERSION OF WATER )  
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ORDER APPROVING  
TRANSFER 4681

On January 22, 1981, an application was filed in the office of the Water Resources Director by John E. Correa for approval of additional points of diversion of water from Butter Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Umatilla County, Oregon, entered September 9, 1916, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Butter Creek and Its Tributaries, a water right was established in the name of C. P. Bowman, tabulated in Volume 1, page 269, Order Record of the Water Resources Director, for use of the waters of Butter Creek for irrigation of, among other lands, a certain 40.0 acres in NE 1/4 SW 1/4, 40.0 acres in NW 1/4 SW 1/4, 40.0 acres in SW 1/4 SW 1/4, 40.0 acres in SE 1/4 SW 1/4, 35.0 acres in NW 1/4 SE 1/4, 13.0 acres in SW 1/4 SE 1/4, Section 22, 31.0 acres in NE 1/4 NW 1/4, 40.0 acres in NW 1/4 NW 1/4, 34.5 acres in SW 1/4 NW 1/4 and 1.5 acres in SE 1/4 NW 1/4, Section 27, all in Township 2 North, Range 27 East, WM, with dates of priority of 1883, 1895 and 1903, as evidenced by the certificate recorded at page 2653, Volume 3, State Record of Water Right Certificates.

Water for the said right is diverted from points located 340 feet North and 170 feet East and 20 feet North and 40 feet West from the West Quarter Corner of Section 27, being within the SW 1/4 NW 1/4, Section 27, and SE 1/4 NE 1/4, Section 28, Township 2 North, Range 27 East, WM.

The applicant proposes to add two additional points of diversion to be located at 1) 1,150 feet North and 2,640 feet East, and 2) 600 feet South and 1,320 feet East from the NW Corner, Section 27, being within 1) SE 1/4 SW 1/4, Section 22, and 2) NW 1/4 NW 1/4, Section 27, Township 2 North, Range 27 East, WM.

Notice of the application, pursuant to ORS 540.520(2), was published in the East Oregonian, a newspaper printed and having general circulation in Umatilla County, Oregon, for a period of three weeks in the issues of February 16 and 23 and March 2, 1981.

Steven P. Applegate, Watermaster, has filed a statement to the effect that the proposed additional points of diversion may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested additional points of diversion, as described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water diverted at the new points of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water available at the old points of diversion under the subject right.

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:

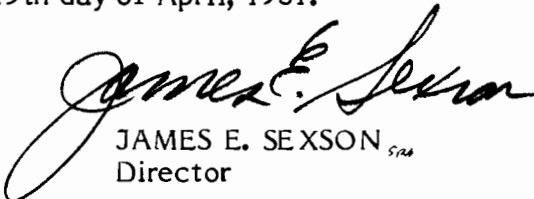
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, 1982.

It is FURTHER ORDERED that the portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered March 22, 1977, approving Transfer Application 3491; and upon receipt of 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 15th day of April, 1981.

  
JAMES E. SEXSON SJR  
Director