

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WALLOWA COUNTY

IN THE MATTER OF THE APPLICATION OF)
CHIEF JOSEPH RESORT WATER DISTRICT)
FOR APPROVAL OF A CHANGE IN)
POINT OF DIVERSION OF WATER)

ORDER APPROVING
TRANSFER 5715

On October 10, 1985, an application was filed in the office of the Water Resources Director by Chief Joseph Resort Water District for approval of a change in point of diversion of water from an unnamed stream, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 28030, Volume 20, State Record of Water Right Certificates, in the name of Chief Joseph Resort Water District, describes a right for the use of not to exceed 0.20 cubic foot per second from an unnamed stream, tributary to Wallowa Lake, for domestic use for 39 cabins, 2 stores, service station and lodge in SE 1/4 SE 1/4, Section 20; Lot 3 (NW 1/4 SW 1/4) and SW 1/4 SW 1/4, Section 21, Township 3 South, Range 45 East, WM with a date of priority of September 5, 1947.

Water for the said right is diverted from a point located 900 feet North and 1270 feet East from the Southwest Corner of Section 21, being within the SW 1/4 SW 1/4 of Section 21, Township 3 South, Range 45 East, WM.

The applicant herein proposes to change the point of diversion therefrom to the spring which is the source of the stream, located 1000 feet North and 2000 feet East from the Southwest Corner of Section 21, being within the SE 1/4 SW 1/4 of Section 21, Township 3 South, Range 45 East, WM.

Robert W. DeBow, Watermaster, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objections 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 proposed change in 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 shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.20 cubic foot per second.

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:

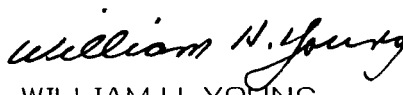
That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 construction work shall be completed and water used from the proposed point of diversion on or before October 1, 1987.

It is FURTHER ORDERED that the certificate recorded at page 28030, Volume 20, 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 22nd day of November, 1985.


WILLIAM H. YOUNG,
Director

NOTE: 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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