

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

HOOD RIVER COUNTY

IN THE MATTER OF THE APPLICATION OF)
MILLARD F. HARTLEY) ORDER APPROVING
FOR APPROVAL OF A CHANGE IN POINT) TRANSFER 6225
OF DIVERSION OF WATER)

An application was filed in the office of the Water Resources Director by Millard F. Hartley for approval of a change in point of diversion of water from Spring Branch, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate 3844, State Record of Water Right Certificates, in the name of Troy Shelley, describes a right which includes the use of not to exceed 0.50 cubic foot per second of water from Spring Branch for irrigation of 25.0 acres, SE 1/4 SW 1/4 Section 25 and 15.0 acres, NE 1/4 NW 1/4 Section 36, Township 2 North, Range 10 East, W.M., with a date of priority of August, 1896.

Water for said right is diverted from a point located 480 feet North and 300 feet West from the S 1/4 corner of Section 25, being within the SE 1/4 SW 1/4 of Section 25, Township 2 North, Range 10 East, W.M.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom to the spring located 195 feet South and 855 feet West from the N 1/4 corner of Section 36, Township 2 North, Range 10 East, W.M. The change in point of diversion is said to be completed.

Larry M. Toll, Watermaster, has filed a statement to the effect that the proposed change may be made without injury to existing rights.

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

NOW, THEREFORE, it is hereby 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 0.50 cubic foot per second and 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 (original) point of diversion under the subject right.

It is FURTHER ORDERED that the following provisions will be effective when in the judgement 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 right to divert water from the point described in Certificate 3844 is hereby canceled.

It is FURTHER ORDERED that certificate 3844 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.

Dated this 17th day of November, 1989

William H. Young
WILLIAM H. YOUNG
Director

NOTE: Approval of the 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.