

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WALLOWA COUNTY

IN THE MATTER OF THE APPLICATION )  
OF GRANT T. WARNOCK FOR APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION) )  
OF WATER FROM IMNAHA RIVER )  
- - - - -

ORDER APPROVING  
TRANSFER NO. 3857

On January 6, 1978, an application was filed in the office of the Water Resources Director by Grant T. Warnock for approval of a change in point of diversion from Imnaha River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 9387, Volume 9, State Record of Water Right Certificates, in the name of Ida F. Snell, describes a right for the use of water from Imnaha River for irrigation of a certain 4.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  and 6.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 23, Township 1 South, Range 48 East, W.M., with a date of priority of 1894.

Water for the said right is diverted, through the Snell Ditch, from a point located 100 feet North and 1600 feet East from the West Quarter Corner of Section 23, being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 23.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 950 feet South and 1500 feet East from the Northwest Corner of Section 23, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 23.

Notice of the application, pursuant to ORS 540.510, was published in the Wallowa County Chieftain, a newspaper printed and having general circulation in Wallowa County, Oregon, for a period of three weeks in the issues of January 19 and 26, and February 2, 1978.

Mr. 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 requested change in point of diversion, as described herein, without loss of priority, is approved.

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.

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:

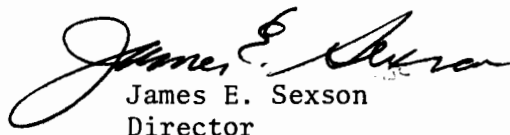
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the change in point of diversion of water made on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Ida F. Snell and recorded at page 9387, Volume 9, 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 16th day of March, 1978.

  
James E. Sexson  
Director