

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Wallowa County

IN THE MATTER OF THE APPLICATION  
OF JAMES A. STUBBLEFIELD FOR THE  
APPROVAL OF A CHANGE IN POINT OF  
DIVERSION OF WATER FROM SPRING  
CREEK  
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ORDER APPROVING  
TRANSFER NO. 3476

On September 24, 1976, James A. Stubblefield filed an application for transfer of water right in the office of the Water Resources Director proposing a change in point of diversion under an existing right of record from Spring Creek.

Certificate of water right issued to W. G. Miller and recorded at Page 40407, Volume 32, State Record of Water Right Certificates, confirms a right which includes the use of not to exceed three-eighths of one cubic foot per second per acre of land irrigated, and not to exceed one-half acre foot per acre during any period of 30 days during the irrigation season, for irrigation of 2.6 acres in  $SE\frac{1}{4}$   $SW\frac{1}{4}$  of Section 23, Township 1 South, Range 48 East, W.M., with a date of priority of November, 1887.

These lands are irrigated by means of the Schleuer's Lower ditch from a point of diversion located 500 feet North and 2400 feet West from the Southeast corner of Section 23, being within the  $SW\frac{1}{4}$   $SE\frac{1}{4}$  of Section 23, Township 1 South, Range 48 East, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 820 feet North and 2160 feet West from the Southeast corner of Section 23, being within the  $SW\frac{1}{4}$   $SE\frac{1}{4}$  of Section 23, Township 1 South, Range 48 East, W.M.

Mr. Robert DeBow, Watermaster of District No, 7, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objection 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 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, and shall not exceed three-eighths of one cubic foot per second per acre of land irrigated, and not exceed one-half acre foot per acre during any period of 30 days during the irrigation season.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install head-gates 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;

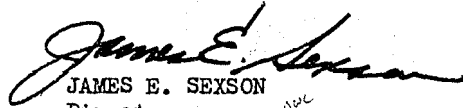
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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, 1977.

It is FURTHER ORDERED that the certificate of water right heretofore issued to W. G. Miller and recorded at Page 40407, Volume 32, 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

James A. Stubblefield.

Dated at Salem, Oregon, this 14th day of October, 1976.

  
JAMES E. SEXSON  
Director JWC