

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION OF)	
MERL ODMAN, ET AL, FOR APPROVAL OF)	ORDER APPROVING
A CHANGE IN POINT OF DIVERSION OF WATER)	TRANSFER 5325

On July 18, 1983, an application was filed in the office of the Water Resources Director by Merl Odman, Orville Burris, Robert Klone, Sam Pryhorocki, Wilbur Grant, Kent Sasser, John Ponti and William Harshfield for approval of a change in point of diversion of water from Little Walla Walla River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 49818, Volume 43, State Record of Water Right Certificates, in the name of Pleasant View Irrigation Company, describes a right which includes the use of not to exceed 0.743 cubic foot per second from Little Walla Walla River, for irrigation of 10.0 acres (Grant) in SW 1/4 SE 1/4 and 16.53 acres (Harshfield) in SE 1/4 SE 1/4, Section 28; 5.0 acres (Burris) in NW 1/4 NW 1/4, 9.82 acres (Burris) in SW 1/4 NW 1/4, 7.5 acres (Pryhorocki) in SW 1/4 NW 1/4, 1.62 acres (Sasser) in SW 1/4 NW 1/4, and 9.0 acres (Odman) in SE 1/4 NW 1/4, Section 34, Township 6 North, Range 35 East, WM with a date of priority of May 3, 1913.

The certificate recorded at page 50401, Volume 44, State Record of Water Right Certificates, in the name of Pleasant View Irrigation Company, describes a right which includes the use of not to exceed 0.728 cubic foot per second from Little Walla Walla River for irrigation of 20.0 acres (Grant) in SW 1/4 SE 1/4, Section 28; 19.07 acres (Harshfield), 9.7 acres (Ponti) and 9.50 acres (Klone) in NE 1/4 NE 1/4, Section 33, Township 6 North, Range 35 East, WM, with a date of priority of March 25, 1912.

The aforesaid lands have a supplemental right from Little Walla Walla River under Certificate 49482, with a date of priority of January 16, 1959.

Water for the said right is diverted, through the Pleasant View Ditch, from a point located 670 feet South and 500 feet West from the Northeast Corner of Section 2, being within the NE 1/4 NE 1/4 of Section 2, Township 5 North, Range 35 East, WM.

The applicants herein, owners of the land above described, propose to change the point of diversion therefrom to the Hudson Bay Ditch, located 850 feet South and 310 feet West from the Northeast Corner of Section 2, being within the NE 1/4 NE 1/4 of Section 2, Township 5 North, Range 35 East, WM. The change in point of diversion is reported to be completed.

Steven P. Applegate, 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 1.471 cubic foot per second.

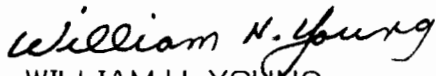
It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

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 upon proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which the water is transferred hereby, the change in point of diversion shall be considered perfected, and a later date, certificates of water right shall be issued to Pleasant View Irrigation Company confirming this and other changes within the company and superseding Certificates 49818, 50401 and 49482.

Dated at Salem, Oregon this 27 day of December, 1984.


WILLIAM H. YOUNG, III
Director

NOTE: The 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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