

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION)
OF PERRY H. PRICE FOR APPROVAL OF)
A CHANGE IN POINT OF APPROPRIA-)
TION FROM GROUND WATER)

ORDER APPROVING
TRANSFER NO. 4095

On November 21, 1978, an application was filed in the office of the Water Resources Director by Perry H. Price for approval of a change in point of appropriation from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 27123, Volume 19, State Record of Water Right Certificates, in the name of Ralph R. Clark, describes a right which includes the use of not to exceed 0.025 cubic foot per second from a certain ground water aquifer for irrigation of a certain 2.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 6 North, Range 35 East, W.M., with a date of priority of June 29, 1949.

Water for the said right is diverted from a well located 10 chains North and 9.3 chains West from the Southeast Corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 6 North, Range 35 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of appropriation therefrom, without loss of priority, to a well located 440 feet South and 320 feet West from the Center Corner of Section 24, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 6 North, Range 35 East, W.M.

Mr. William S. Bartholomew, Hydrogeologist, Water Resources Department, has filed a statement to the effect that the proposed change in point of appropriation may be made without injury to existing rights.

Mr. William I. Porfily, Watermaster, has filed a statement to the effect that the proposed change in point of appropriation may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of appropriation 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 appropriation, as described herein, without loss of priority, is approved.

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It is FURTHER ORDERED that the quantity of water diverted at the new point of appropriation shall not exceed the quantity of water available at the old point of appropriation 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 measuring devices:

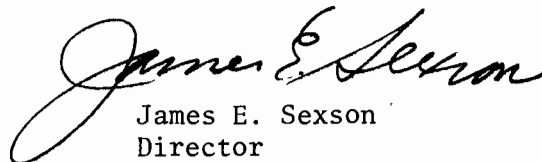
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 appropriation of water made on or before October 1, 1980.

It is FURTHER ORDERED that the certificate of water right recorded at page 27123, Volume 19, 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 the applicant herein.

Dated at Salem, Oregon this 26th day of February, 1979.


James E. Sexson
Director