

BEFORE THE STATE ENGINEER OF OREGON

Morrow County

IN THE MATTER OF THE APPLICATION )  
OF ELROY F. MCDOLE FOR THE )  
APPROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER FROM A WELL )  
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ORDER APPROVING  
TRANSFER NO. 2343

On February 20, 1970, Elroy F. McDole filed an application in the office of the State Engineer, for the approval of a change in point of diversion of water from a well, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Elroy F. McDole and recorded at page 20686, Volume 15, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.987 cubic foot per second of water from a well for the irrigation of 39.0 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 40.0 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 33, Township 4 North, Range 27 East, W.M., with a date of priority of November 1, 1950. These lands are irrigated from a well located 1980 feet North and 1320 feet West from the SE corner of Section 33, being within the N $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 33, Township 4 North, Range 27 East, W.M.

The applicant herein, owner of the lands above described proposes to divert the water for irrigation from a well located 2630 feet North and 1320 feet West from the SE corner of Section 33, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 33, Township 4 North, Range 27 East, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions.

Mr. Jerry F. Haines, Watermaster of District No. 5, has filed a report to the effect that the proposed change in point of diversion of water may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from a well, to-wit:

From a well located 1980 feet North and 1320 feet West from the SE corner of Section 33, being within the NE $\frac{1}{2}$  SE $\frac{1}{4}$  of Section 33, Township 4 North, Range 27 East, W.M.

To a well to be located 2630 feet North and 1320 feet West from the SE corner of Section 33, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 33, Township 4 North, Range 27 East, W.M.

for the irrigation of 39.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 40.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 33, Township 4 North, Range 27 East, W.M., with a date of priority of November 1, 1950 is approved.

It is FURTHER ORDERED that depth of the well at the new location shall be limited to the thickness of the alluvial gravel deposits overlying the basalt formations and shall not exceed a depth of 110 feet.

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, 1971.

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 0.987 cubic foot per second.

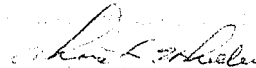
It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

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 certificate of water right heretofore issued to Elroy F. McDole and recorded at page 20686, Volume 15, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Elroy F. McDole confirming said change in point of diversion.

Dated at Salem, Oregon, this 31st day of August, 1970.

  
CHRIS L. WHEELER  
State Engineer