

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WALLOWA COUNTY

IN THE MATTER OF THE APPLICATION)
OF DAVE YOUNG FOR APPROVAL OF A)
CHANGE IN POINT OF DIVERSION OF)
WATER FROM WALLOWA RIVER)

ORDER APPROVING
TRANSFER NO. 2813

On May 14, 1973, an application was filed in the office of the Water Resources Director by Dave Young for approval of a change in point of diversion from Wallowa River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 3157, Volume 4, State Record of Water Right Certificates, in the name of Silver Lake Water Ditch Company, describes a right which includes the use of water from Wallowa River for the irrigation of a certain 23.1 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 2 South, Range 45 East, W.M., with a date of priority of 1893.

The authorized point of diversion of record is located 900 feet South and 1700 feet East from the Northwest Corner of Section 5, being within Lot 4 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 5, Township 3 South, Range 45 East, W.M. (Silver Lake Ditch).

The applicant herein proposes to change the point of diversion therefrom, without loss of priority, to an existing point of diversion located 215 feet South and 700 feet East from the Northwest Corner of Section 5, being within Lot 5 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 5, Township 3 South, Range 45 East, W.M. (Farmers Ditch).

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 carried out prior to the diverting of water at the new point of diversion as herein confirmed:


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 NO time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Silver Lake Water Ditch Company and recorded at page 3157, Volume 4, 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 19th day of June, 1978.


James E. Sexson
Director