

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

GRANT COUNTY

IN THE MATTER OF THE APPLICATION)
OF JOHN AND JEAN DeBONA)
FOR APPROVAL OF A CHANGE IN)
POINT OF DIVERSION OF WATER)

ORDER APPROVING
TRANSFER 5177

On December 17, 1982, an application was filed in the office of the Water Resources Director by John and Jean DeBona for approval of a change in point of diversion of water from John Day River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 44291, Volume 36, State Record of Water Right Certificates, in the name of Hans C. and Mary B. Eskildson, describes a right for the use of not to exceed 0.225 cubic foot per second from John Day River, for irrigation of 9.0 acres in NW 1/4 SE 1/4, Section 14, Township 13 South, Range 28 East, WM, with a date of priority of July 15, 1966.

Water for the said right is diverted from a point located 980 feet South and 1750 feet West from the East Quarter Corner of Section 14, being within the NW 1/4 SE 1/4 of Section 14, Township 13 South, Range 28 East, WM.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom, without loss of priority, to a point located 490 feet South and 1660 feet West from the East Quarter Corner of Section 14, being within the NW 1/4 SE 1/4 of Section 14, Township 13 South, Range 28 East, WM.

Jerry S. Rodgers, 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, WITH THE FOLLOWING CONDITIONS.

The quantity of water diverted at the new point of diversion shall not exceed 0.225 cubic foot per second, and shall not exceed the quantity of water available at the old point of diversion under the subject right.

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.

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

It is FURTHER ORDERED that the certificate recorded at page 44291, Volume 36, State Record of Water Right Certificates, is canceled; 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 applicants herein.

Dated at Salem, Oregon this 22nd day of February, 1983.


JAMES E. SEXSON, Director
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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