

BEFORE THE STATE ENGINEER OF OREGON

Morrow County

IN THE MATTER OF THE APPLICATION)
OF E. F. McDOLE FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM A WELL)

O R D E R
APPROVING APPLICATION

On February 4, 1965, E. F. McDole of Hermiston, Oregon filed an application in the office of the State Engineer for the approval of a change in point of diversion from a well, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to E. F. McDole and recorded at page 30311, Volume 22, State Record of Water Right Certificates, confirms a right to the use of not to exceed 1.0 cubic foot per second of water from E. F. McDole well No. 3 for irrigation of 40 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33, Township 4 North, Range 27 East, W.M., with a priority date of March 26, 1956.

The applicant herein, owner of the lands above described, proposes to irrigate said lands by means of a well, the point of diversion of said well being located 2640 feet north and 1320 feet east from the southwest corner of Section 33, and being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, 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. Jack E. Sceva, geologist for this Department, has filed a report 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 change in point of diversion of water from a well, to-wit:

From a point located 1980 feet north and 1320 feet east from the southwest corner of Section 33, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33, Township 4 North, Range 27 East, W.M.

To a point located 2640 feet north and 1320 feet east from the southwest corner of Section 33, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33, Township 4 North, Range 27 East, W.M.

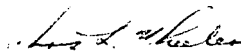
for the irrigation of 40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 40 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33, Township 4 North, Range 27 East, W.M., with a priority date of March 26, 1956, is approved.

It is FURTHER ORDERED that the construction work shall be done and the change in point of diversion of water made on or before October 1, 1966, or within such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that the well at the new point of diversion shall be so constructed that water will be withdrawn only from the ground water reservoir which supplied the old well.

It is FURTHER ORDERED that certificate of water right heretofore issued to E. F. McDole and recorded at page 30311, Volume 22, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of point of diversion, a certificate of water right shall be issued to E. F. McDole confirming said change in point of diversion.

Dated at Salem, Oregon this 9th day of April 1965.



CHRIS L. WHEELER
State Engineer

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