

2343

STATUS OF APPLICATION

Change in Point of Diversion
 Date filed February 20, 1970
 Date of hearing _____
 Place of hearing _____
 Date of order 8-31-70 Vol. 20, page 67
 Date for application of water 10-1-71
 Proof mailed _____
 Proof received _____
 Certificate issued JUN 28 1974 Vol. 32, page 40855
To Survey 10/2/74
Sept. 3

DESCRIPTION OF WATER RIGHT

Name of stream well
 Trib. of _____ County of Morrow
 Use Irrigation
 Quantity of water 0.987cfs No. of acres 80⁰
 Name of ditch _____
 Date of priority November 1, 1950
 In name of Elroy F. McDole
 _____ Adjudication, Vol. _____, page _____
 App. No. U-398 Per. No. U-363 Cert. No. 20686
 Certificate cancelled _____
 Notation made on record by slu

REMARKS

FEES PAID

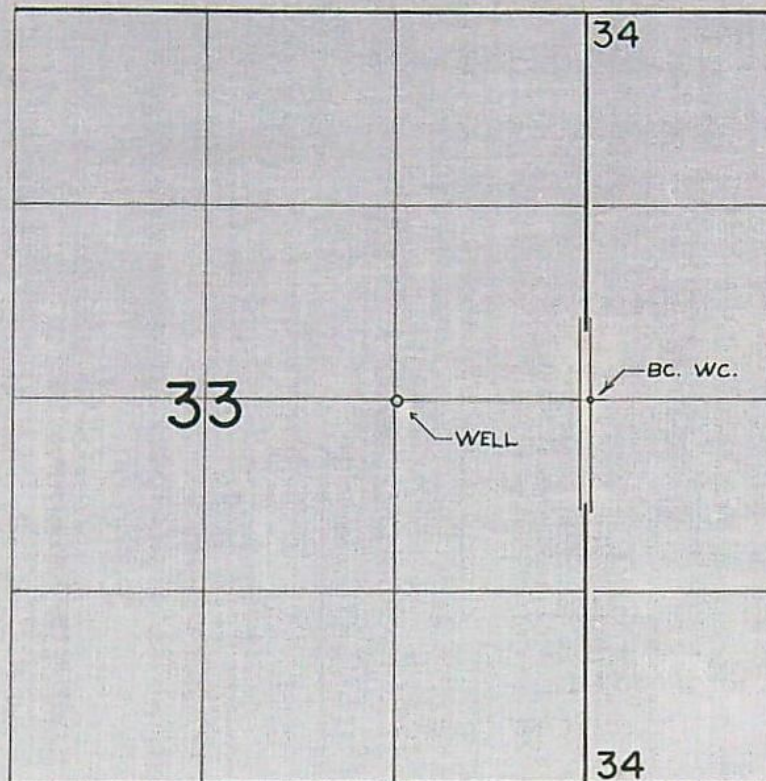
Date	Amount	Receipt No.
<u>2/20/70</u>	<u>32.50</u>	<u>17823</u>
TOTAL . . .		
<u>10-15-70</u>	<u>\$1 Cert. Fee</u>	<u>21251</u>

FEES REFUNDED

Date	Amount	Check No.

INDEX CARDS:		Entered	Checked
✓	Name	<u>slu</u>	
✓	Stream	<u>slu</u>	
	Pt. of Div.		
✓	Calendar	<u>slu</u>	
CHECKED TO RECORDS:			
✓	Twp. & Rge.	<u>slu</u>	
	Decree-vault		
	Decree-safe		
✓	Cert. of W/R	<u>slu</u>	
✓	Per. Folder	<u>slu</u>	
	Chainindex		
	Cross Ref.		
	Power Claim		
	Abstracts		

T. 4 N. R. 27 E. W. M.



WELL LOC. 16' S & 1310' W FROM E 1/4 COR. SEC. 33

FINAL PROOF SURVEY
UNDER

Application No. _____ Transfer No. 2343
Permit No. _____
IN NAME OF

_____ ELROY F. McDOLLE _____

Surveyed JUNE 30, 1971, by R. MUCKEN _____

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Elroy F. McDole
(Name of applicant)

of Hermiston, County of Morrow
(Postoffice)

State of Oregon, do hereby make application for change in point of diversion

(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is well
(Name of stream)

2. The use to which the water is applied is irrigation
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is

4. The point of diversion is located 1980 ft. N and 1320 ft. W from the SE
(N. or S.) (E. or W.)

corner of Section 33 being within the N $\frac{1}{2}$ of SE $\frac{1}{4}$
(Section or subdivision)

of Section 33 Tp. 4N R. 27E W. M., in the County of Morrow
(No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
4N	27E	33													37		40	
4N	27E	33														40		40

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? Yes
(If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? Yes

8. What is the date of priority of your water right? Nov. 1, 1950

9. Was your water right acquired by State Engineer's Permit? Yes If so, give number
(Yes or No)
of permit U-499 22363 E.F.M.

10. Do you hold a water right certificate? Yes If so, give number of certificate 20686
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

..... If so, give title of proceedings
(Yes or No)

12. Is the water right recorded in your name? Yes
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located 2630 ft. N and 1320 ft. W from the SE
corner of 33 being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33 Tp. 4N R. 27E W. M.,
(Smallest legal subdivision) (N. or S.) (E. or W.) (No. N. or S.) (No. E. or W.)
in the county of Morrow The name of the ditch to be used is

15. Are you the owner of the land on which the proposed point of diversion is to be located? Yes

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

17. Are there any diversions between your present point of diversion and the proposed point of diversion? No

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.?
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are Present well is producing insufficient water.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of

Morrow

ss.

I, Eliog & McDole, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 19th day of February, 1970

Eliog & McDole
(Name of applicant)

Subscribed and sworn to before me this 19th day of February, 1970

[Notarial Seal]

E. M. Eubank
NOTARY PUBLIC FOR OREGON

My Commission Expires April 14, 1972

My commission expires

Remarks

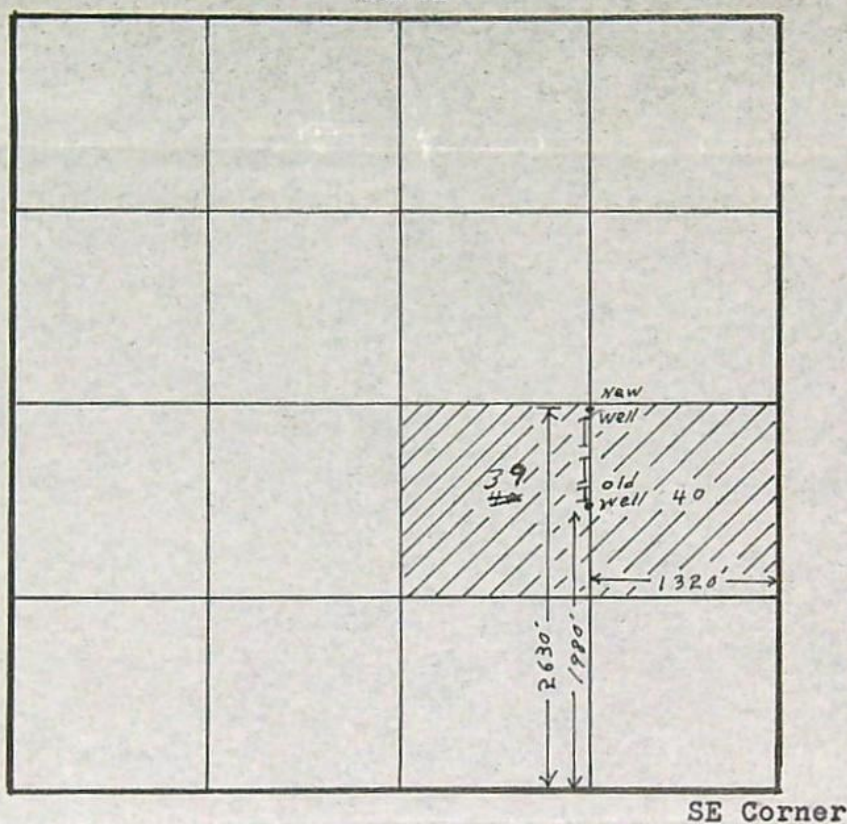
THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.

Feb. 18, 1970

MAP TO ACCOMPANY APPLICATION FOR CHANGE
IN POINT OF DIVERSION

RECEIVED
FEB 20 1970
STATE ENGINEER
SALEM OREGON

North



Sec. 33 Tp. 4N R 27E

Elroy F. McDole
Elroy F. McDole

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)

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 N $\frac{1}{2}$ 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.

/s/ CHRIS L. WHEELER
State Engineer

RECEIVED
SEP 11 1970
STATE ENGINEER
SALEM OREGON

Transfer No. 2343
~~2143~~

NOTICE OF COMPLETION OF CONSTRUCTION

I, Eliot F. McDole, hereby certify
that the construction work has been completed and the change in
point of diversion of water made as set forth in the order of
the State Engineer dated August 31, 1970, approving an appli-
cation for a change in point of diversion of water from _____
a well _____.

Sept. 9, 1970.
Date

E. F. McDole
Name

C-date 10/1/71

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOR
CHANGE IN POINT OF DIVERSION OF WATER

Transfer No. 2343

County Morrow

ROUTE 2, BOX 117 UMATILLA, ORE.

1. Name Elroy F. McDole Address Box 152, Hermiston, Ore.
2. Source of Supply a well, Trib. of ---
3. Amount of Water 0.987 cfs Priority Date November 1, 1950
4. Use irrigation
5. Proposed Point of Diversion 2630 ft. N & 1320 ft. W from the SE corner of Sec. 33, being within the NE 1/4 SE 1/4 of Sec. 33, T. 4 N., R. 27 E., W.M.
6. Place of Use ---

[illegible]

The old well is abandoned.

INFO: RAYMOND BATTY, RT. 1, BOX 183, HERMISTON
HAS A LEASE, OPTION & TO BUY & McDole by phone.

Batty is farming the place this year. Have well manifolded to
2 other wells by 8" main. Dringled all of N $\frac{1}{2}$ SE $\frac{1}{4}$ from
the well on this application & approx 60 ac. in S $\frac{1}{2}$ SE $\frac{1}{4}$.
Irrigates part of land by center pivot & corner by head line.

WELL - 18" CASING 113' DEEP S.W.L. 79' 640 G.P.M.
according to McDole

PUMP - WESTERN LAND ROLLER D.O. TURBINE, 6" OUT

MOTOR - U.S. MOTOR 40 H.P.

BOOSTER - { PUMP - JACUZZI 8" X 6"
MOTOR - CENTURY 15 H.P. @ 1750 R.P.M. D.O. CENTER

PIPE - $\frac{1}{4}$ MILE - PLUS, 30" BURIED TRANSITE MAIN
1500' - 6" ALUM

1400 - 3" ALUM HAS MORE PIPE & HEADS

1 - $\frac{1}{4}$ MILE LOCKWOOD HYDROCYCLE CENTER PIVOT
RATED @ 800 G.P.M.

HEADS -	ON HAND	MOVE	$\frac{3}{16} \times \frac{1}{8}$	-17	5.10	114
			$\frac{7}{32} \times 0$	-11	7.58	83
			$\frac{5}{22} \times 0$	-8	3.65	21

OROP - OR4 BEANS

TIE - E $\frac{1}{4}$ COR SEC. 33

6-30-71

F.L.D. ENGR.

Robert S. Menden