

# STATUS OF APPLICATION

Change in additional point of diversion  
Date filed 3-7-74  
Date of hearing March 20, 1980  
Place of hearing La Grande  
Date of order 5-9-80 Vol. 33, page 206  
Date for application of water complete  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued 7-26-88 Vol. 53, page 57370  
57376

*to survey*

*Surveyed 5/22/86*

# REMARKS

*- finish -*

2993

# DESCRIPTION OF WATER RIGHT

Name of stream Grand Ronde River  
Trib. of \_\_\_\_\_ County of Union  
Use irrigation  
Quantity of water \_\_\_\_\_ No. of acres 28.0  
Name of ditch \_\_\_\_\_  
Date of priority \_\_\_\_\_  
In name of \_\_\_\_\_  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 40453 Per. No. 30845 Cert. No. \_\_\_\_\_  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

# FEES PAID

| Date        | Amount    | Receipt No.    |
|-------------|-----------|----------------|
| 3-7-74      | 37.00     | 38944          |
| 7-18-78     | 2.00      | Trans to 40453 |
| 1-4-80      | 5.00      | 12574          |
| TOTAL . . . |           |                |
|             | Cert. Fee |                |

*The Observer # 32.00 pd 3/31/80 ch # 4106*

# FEES REFUNDED

| Date         | Amount | Check No. |
|--------------|--------|-----------|
| 3/31/80      | 18.00  | 4104      |
| exam 15.00   |        | 80-       |
| P.O.D. 15.00 |        |           |
| P.O.N. 32-   |        |           |
|              | 62-    |           |

| TO BE ENTERED WHERE CHECKED         | INDEX CARDS: |                                     |
|-------------------------------------|--------------|-------------------------------------|
|                                     | Entered      | Checked                             |
| <input checked="" type="checkbox"/> | Name         | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | Stream       | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | Pt. of Div.  | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | Calendar     | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | Twp. & Rge.  | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | Decree-vault | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | Decree-safe  | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | Cert. of W/R | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | Per. Folder  | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | Chainindex   | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | Cross Ref.   | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | Power Claim  | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | Abstracts    | <input checked="" type="checkbox"/> |



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UNION COUNTY

IN THE MATTER OF THE APPLICATION OF )  
ELWYN D. & BARBARA BINGAMAN FOR )  
APPROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER )  
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ORDER APPROVING  
TRANSFER NO. 2993

On March 7, 1974, an application was filed in the office of the Water Resources Director by Elwyn D. and Barbara Bingaman for approval of a change in point of diversion from Grand Ronde River, pursuant to the provisions of ORS 540.510 to 540.530.

Pursuant to the provisions of ORS 537.260 (2), proof has been made to the satisfaction of the Water Resources Director that a right has been perfected under the terms of permit No. 30845 in the names of Elwyn D. & Barbara Bingaman, for use of not to exceed 0.9 cubic foot per second from Grand Ronde River for irrigation of a certain 39.6 acres in NE 1/4 SE 1/4 and 39.0 acres in NW 1/4 SE 1/4 of Section 32, Township 1 South, Range 39 East, W.M., with a priority date of March 16, 1965.

Water for the said right is diverted from a point located 1470 feet North and 950 feet West from the Southeast Corner of Section 33, being within the NE 1/4 SE 1/4 of Section 33, Township 1 South, Range 39 East, W.M.

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 300 feet South and 1130 feet West from the Northeast Corner of Section 32, being within the NE 1/4 NE 1/4 of Section 32, Township 1 South, Range 39 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Observer, a newspaper printed and having general circulation in Union County, Oregon, for a period of three weeks in the issues of January 24 and 31, and February 7, 1980.

Mr. H. Boyd Hadden, 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 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.

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 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 9th day of May, 1980.



JAMES E. SEXSON  
Director  
by CHRIS L. WHEELER  
Deputy Director sml



# Affidavit of Publication

STATE OF OREGON, }  
COUNTY OF UNION, } ss.

I, ... Berneva Brazeau ....., being first duly sworn, depose and say that I am the

principal clerk of **THE OBSERVER**, a newspaper of general circulation as defined by ORS 193.010 and 193.020; printed and published at LaGrande, in the aforesaid county and state; that the ... Notice of water right transfer application No. 2993. ....

a printed copy of which is hereto annexed was published in the entire issue of said newspaper for ... 3 ... successive and consecutive weeks in the following issues: ... January 24, 31, February 7, 1980. ... ok

*Berneva Brazeau*

Subscribed and sworn to before me this . 7 . day of . Feb. . . . . 19 . 80

*Jo Wanda K. Loring*  
Notary Public of Oregon

My commission expires . . . . August 28, 1981 . . . . .

**NOTICE OF WATER RIGHT  
TRANSFER APPLICATION  
NO. 2993**

The Water Resources Director of Oregon has received and filed an application by Elwyn D. & Barbara Bingaman for approval, without loss of priority, of a change in point of diversion of water under a certain water right.

Pursuant to the provisions of ORS 537.260(2), proof has been made to the satisfaction of the Water Resources Director that a right has been perfected under the terms of permit No. 30845 in the names of Elwyn D. & Barbara Bingaman, for use of not to exceed 0.9 cubic foot per second from Grand Ronde River for irrigation of a certain 39.6 ac in NE 1/4 SE 1/4 & 39.0 ac in NW 1/4 SE 1/4 of Sec 32, T 1S, R 39E, WM, with a priority date of March 16, 1965.

The authorized point of diversion is located 1470 ft N & 950 ft W from the SE Corner of Sec 33, being within the NE 1/4 SE 1/4 of Sec 33, T 1S, R 39E, WM.

The applicants propose to change the point of diversion therefrom to a point located 300 ft S & 1130 ft W from the NE Corner of Sec 32, being within the NE 1/4 NE 1/4 of Sec 32, T 1S, R 39E, WM.

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Thursday, March 20, 1980, at the Union County Courthouse, La Grande, Oregon. Any objection to the proposed change must be prepared in writing: one copy to be served on the applicants at Box 196, Cove, OR 97824; and one copy filed in the office of the Water Resources Director, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. Rules for filing objections will be furnished upon request.

IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING.

Dated at Salem, Oregon this 9th day of January, 1980.

James E. Sexson, Director  
Publish: January 24, 31,  
February 7, 1980  
Legal No. 208

*ok  
Jey*

RECEIVED  
MAR 6 1980  
WATER RESOURCES DEPT  
SALEM, OREGON