

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

GRANT COUNTY

IN THE MATTER OF THE APPLICATION OF)
DONA K. HOLMSTROM FOR APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 5867

On October 30, 1986, an application was filed in the office of the Water Resources Director by Dona K. Holmstrom for approval of a change in place of use of water from John Day River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Grant County, Oregon, entered November 16, 1956, In the Matter of the Determination of the Relative Rights to the Use of the Waters of John Day River and Its Tributaries, a water right was established in the name of Bradford C. Trowbridge, tabulated in Volume 10, page 618, Order Record of the Water Resources Director, for use of not to exceed 1/40 cubic foot per second per acre irrigated from April 1 to September 30; further limited to 1 acre-foot per acre per calendar month to July 1 and 3/4 acre-foot per acre thereafter; total 5 acre-feet per acre for season, measured at point of diversion from John Day River for irrigation of, among other lands, a certain

TRACT 1

21.4 acres NE 1/4 SW 1/4
11.5 acres NE 1/4 SE 1/4
23.0 acres NW 1/4 SE 1/4
17.6 acres SW 1/4 SE 1/4
38.5 acres SE 1/4 SE 1/4
Section 23

15.0 acres SW 1/4 SW 1/4
11.2 acres SE 1/4 SW 1/4
Section 24

18.2 acres NE 1/4 NW 1/4
11.9 acres NW 1/4 NW 1/4
Section 25

8.1 acres NE 1/4 NE 1/4
Section 26
Township 13 South, Range 31 East, WM

TRACT 2

2.6 acres NE 1/4 NE 1/4
Section 26
Township 13 South, Range 31 East, WM

with a date of priority of 1863 for Tract 1 and 1875 for Tract 2, as evidenced by the certificate recorded at page 53621, Volume 48, State Record of Water Right Certificates.

Water for the said right is diverted, through the Trowbridge Ditch, from a point located 460 feet South and 920 feet West from the Northeast Corner of Section 25, being within the NE 1/4 NE 1/4 of Section 25, Township 13 South, Range 31 East, WM.

The applicant herein, owner of the lands above described, proposes to change the place of use of

1.5 acres NE 1/4 SE 1/4
2.6 acres SW 1/4 SE 1/4
15.5 acres SE 1/4 SE 1/4
Section 23

13.0 acres SW 1/4 SW 1/4
11.2 acres SE 1/4 SW 1/4
Section 24

2.2 acres NE 1/4 NW 1/4
Section 25
Township 13 South, Range 31 East, WM

therefrom to irrigation of a certain

0.8 acre NE 1/4 SW 1/4
0.8 acre SE 1/4 SW 1/4
17.0 acres NE 1/4 SE 1/4
2.0 acres NW 1/4 SE 1/4
2.6 acres SW 1/4 SE 1/4
Section 23

1.0 acre SW 1/4 SW 1/4
2.5 acres SE 1/4 SW 1/4
Section 24

8.0 acres NW 1/4 NE 1/4
2.8 acres NE 1/4 NW 1/4
5.0 acres NW 1/4 NW 1/4
Section 25

3.5 acres NE 1/4 NE 1/4
Section 26
Township 13 South, Range 31 East, WM

Jerry S. Rodgers, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use is approved, without loss of priority.

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:

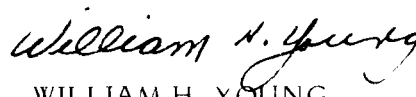
That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the subject water right is hereby severed from the place of use described in Certificate 53621, and shall be beneficially used as authorized by this order on or before October 1, 1988.

It is FURTHER ORDERED that the certificate recorded at page 53621, Volume 48, 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 certificate of water right shall be issued to the applicant herein covering the balance of the right not involved in this proceeding and confirming the change authorized herein.

Dated at Salem, Oregon, this 12th day of March, 1987.


WILLIAM H. YOUNG, Jr.
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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