

BEFORE THE STATE ENGINEER OF OREGON

Crook County

IN THE MATTER OF THE APPLICATION)
OF CLAUDE P. WILLIAMS FOR THE)
APPROVAL OF A CHANGE IN POINTS OF)
DIVERSION OF WATER FROM CROOKED)
RIVER)

O R D E R
APPROVING APPLICATION

On September 12, 1961, Claude P. Williams of Prineville, Oregon, filed an application in the office of the State Engineer for the approval of changes in points of diversion of water from Crooked River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Rim Rock Ranch, Inc. and recorded at page 11840, Volume 11, State Record of Water Right Certificates, confirms a right under Permit No. 11411 to the use of the waters of Crooked River for the irrigation of 10 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, 35 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 20 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 26, Township 14 South, Range 15 East, W. M., with a date of priority of September 11, 1934. These lands are irrigated by means of a pumping plant, the point of diversion of said pumping plant being located 1714.2 feet North and 576.5 feet West from the S $\frac{1}{4}$ corner of Section 26, and being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 26, Township 14 South, Range 15 East, W. M.

Certificate of water right issued to Earl Forest and recorded at page 23881, Volume 17, State Record of Water Right Certificates, confirms a right under Permit No. 19956 to the use of the waters of Crooked River for supplemental irrigation of 6 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, 36.8 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 4.6 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 19.6 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 38 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, Township 14 South, Range 15 East, W. M., with a date of priority of August 25, 1950. These lands are irrigated by means of a pumping plant, the point of diversion of said pumping plant being located 1840 feet North and 540 feet West from the S $\frac{1}{4}$ corner of Section 26, and being within

the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, Township 14 South, Range 15 East, W. M.

Certificate of water right issued to John L. Karnopp, Trustee, and John L. Karnopp and recorded at page 11400, Volume 10, State Record of Water Right Certificates, confirms a right under Permit No. 11619 to the use of the waters of Crooked River for the irrigation of 17 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 25 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 15 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, Township 14 South, Range 15 East, W. M., with a date of priority of March 28, 1935. These lands are irrigated through the Peoples Ditch, the point of diversion of said ditch being located 744.2 feet South and 321 feet East from the northwest corner of the SW $\frac{1}{4}$, Section 8, and being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 8, Township 15 South, Range 16 East, W. M.

The applicant herein, owner of the lands above described, proposes to irrigate the lands described in the three preceding paragraphs by means of a pumping plant, the point of diversion of said pumping plant to be located 105 feet North and 105 feet West from the southeast corner of Section 26, and being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 26 Township 14 South, Range 15 East, W. M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in points of diversion of water, if any there were, namely: at the county courthouse in Prineville, Oregon, on June 20, 1962, at 9:30 o'clock a.m. The notice was published in the Central Oregonian, a newspaper printed and having general circulation in Crook County, Oregon, for a period of three weeks in the issues of April 26, May 3 and 10, 1962. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. James C. Fellows, Watermaster of District No. 11, has filed a report to the effect that the proposed change in points 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 points 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 proposed change in points of diversion of water from Crooked River, to-wit:

From a point located 1714.2 feet North and 576.5 feet West from the S $\frac{1}{2}$ corner of Section 26, and being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 26, Township 14 South, Range 15 East, W. M., and

From a point located 1840 feet North and 540 feet West from the S $\frac{1}{2}$ corner of Section 26, and being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, Township 14 South, Range 15 East, W. M., and

From a point located 744.2 feet South and 321 feet East from the northwest corner of the SW $\frac{1}{4}$, and being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, Township 15 South, Range 16 East, W. M.

To a point to be located 105 feet North and 105 feet West from the southeast corner of Section 26, and being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 26, Township 14 South, Range 15 East, W. M.

for the irrigation of 10 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, 35 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 20 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 26, Township 14 South, Range 15 East, W. M., with a date of priority of September 11, 1934, supplemental irrigation of 6 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, 36.8 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 4.6 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 19.6 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 38 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, with a date of priority of August 25, 1950, and irrigation of 17 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 25 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, Township 14 South, Range 15 East, W. M., with a date of priority of March 28, 1935, be and the same is hereby approved.

It is FURTHER ORDERED that the construction work shall be completed and changes in points of diversion of water made on or before October 1, 1963, or within such extension of time as may be granted by the State engineer for good cause shown.

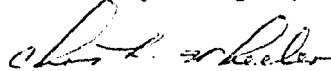
It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water that is available at the old points of diversion.

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 pumping plant and related works shall include a weir or other suitable device for measuring the water to which the applicant is entitled.

That the plans of the weir or other suitable device be approved by the watermaster of Crook County, Oregon, before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

Dated at Salem, Oregon, this 24th day of August, 1962.



CHRIS L. WHEELER
State Engineer

Noted on records

*App. # 15766, 15522, § 25154
Cert. # 11400, 11840, § 23881*