

Union County

IN THE MATTER OF THE APPLICATION)
OF LLOYD CROSSLAND FOR THE APPRO-)
VAL OF A CHANGE IN POINT OF DIVER-)
SION OF WATER FROM CATHERINE CREEK)

O R D E R

APPROVING APPLICATION

On August 22, 1963, Lloyd Crossland of Union, Oregon, filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Catherine Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Union County, Oregon, entered August 8, 1925, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Grande Ronde River and its Tributaries, a water right was established in the name of James A. Kofford for the irrigation of 7 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14, Township 4 South, Range 39 East, W. M. In the same proceedings, a water right was established in the name of O. M. and Mary Crossland for the irrigation of, among other lands, 27.5 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 17.5 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 14. Also, in the same proceedings, a water right was established in the name of Alma and R. H. Rohrig for the irrigation of, among other lands, 20 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 14. All of these lands have a date of priority of 1883 and are irrigated from Catherine Creek through the Hutchinson-England Ditch, the point of diversion of said ditch being located 290 feet North and 1220 feet East from the S $\frac{1}{4}$ corner of Section 14, and being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 14, Township 4 South, Range 39 East, W. M.

The applicant herein, owner of the lands above described, proposes to irrigate said lands by means of a pumping plant, the point of diversion of said pumping plant to be located 2078.7 feet North and 2527.92 feet East from the southwest corner of Section 14, and being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 14, Township 4 South, Range 39 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 point of diversion of water, if any there were, namely: at the county courthouse in LaGrande, Oregon, on November 20, 1963, at 9:30 o'clock a.m. The notice was published in The Union Republic, a newspaper printed and having general circulation in Union County, Oregon, for a period of three weeks in the issues of September 27, October 4 and 11, 1963. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Ward Miller, Watermaster of District No. 6, 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 proposed change in point of diversion of water from Catherine Creek, to-wit:

From a point located 290 feet North and 1220 feet East from the S $\frac{1}{2}$ corner of Section 14, and being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 14, Township 4 South, Range 39 East, W. M.

To a point to be located 2078.7 feet North and 2527.92 feet East from the southwest corner of Section 14, and being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 14, Township 4 South, Range 39 East, W. M.

for the irrigation of 7 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 27.5 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 37.5 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, Township 4 South, Range 39 East, W. M., with a date of priority of 1883, is approved.

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, 1964, 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 point 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 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 2nd day of December, 1963.



CHRIS L. WHEELER
State Engineer

Noted on Decree
Vol. 8 pg. 53, 29, § 89
Cert. # 6413
" 6225
" 6544