

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

GRANT COUNTY

IN THE MATTER OF THE APPLICATION )  
OF CLYDE HOLLIDAY FOR APPROVAL OF )  
A CHANGE IN POINT OF DIVERSION OF )  
WATER )  
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ORDER APPROVING  
TRANSFER NO. 4319

On October 29, 1979, an application was filed in the office of the Water Resources Director by Clyde Holliday for approval of a change in point of diversion from John Day River, pursuant to the provisions of ORS 540.510 to 540.530.

The affected water right is a portion of the right described by the certificate recorded at page 10644, Volume 10, State Record of Water Right Certificates, in the name of Smith Brothers, and is for the use of not to exceed 0.84 cubic foot per second from John Day River, under a priority date of August 24, 1928, for primary irrigation of a certain 5.0 acres in SE 1/4 SE 1/4, Section 15; 6.0 acres in NW 1/4 NE 1/4, Section 22; and supplemental irrigation of a certain 5.6 acres in SE 1/4 SE 1/4, 13.7 acres in SW 1/4 SE 1/4, Section 15; 13.0 acres in NW 1/4 NE 1/4, 21.9 acres in NE 1/4 NW 1/4 and 1.8 acres in SE 1/4 NW 1/4, Section 22, Township 13 South, Range 32 East, W.M.

The authorized point of diversion is located 2300 feet North and 700 feet East from the Southwest Corner of Section 13, being within the NW 1/4 SW 1/4 of Section 13, Township 13 South, Range 32 East, W.M. (unnamed ditch).

The applicant proposes to change the point of diversion therefrom to a point located 2050 feet North and 2000 feet East from the Southwest Corner of Section 14, being within the NE 1/4 SW 1/4 of Section 14, Township 13 South, Range 32 East, W.M..

Notice of the application, pursuant to ORS 540.520(2), was published in the Blue Mountain Eagle, a newspaper printed and having general circulation in Grant County, Oregon, for a period of three weeks in the issues of December 20, 27, 1979 and January 3, 1980.

Mr. Jerry Rodgers, 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 the certificate recorded at page 10644, Volume 10, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; 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 confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 5th day of May, 1980.



JAMES E. SEXSON  
Director  
by CHRIS L. WHEELER  
Deputy Director *SLW*