

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CROOK COUNTY

IN THE MATTER OF THE APPLICATION)
OF D. C. MAINE FOR APPROVAL OF A)
CHANGE IN POINT OF DIVERSION OF)
WATER FROM CROOKED RIVER)
- - - - -

ORDER APPROVING
TRANSFER NO. 2359

On April 14, 1970, an application was filed in the office of the Water Resources Director by D. C. Maine for approval of a change in point of diversion from Crooked River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 24090, Volume 17, State Record of Water Right Certificates, in the name of F. Miles Mayfield, describes a right which includes the use of not to exceed 1.21 cubic feet per second from Crooked River for primary irrigation of 7.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 38.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 6.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 5.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9; and supplemental irrigation of 10.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, Township 17 South, Range 21 East. W.M., with a date of priority of April 5, 1950.

Water for the said right is diverted from a point located 960 feet South and 790 feet West from the Northeast Corner of Section 9, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 9.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority to a point located 950 feet South and 2560 feet West from the Northeast Corner of Section 9, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 9.

Notice of the application, pursuant to ORS 540.510, 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 January 28; February 4 and 11, 1971.

Mr. Bruce A. Estes, 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:

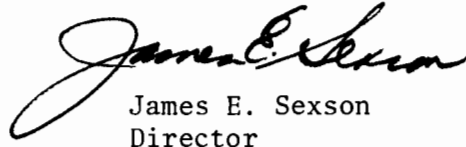
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the certificate of water right heretofore issued to F. Miles Mayfield and recorded to page 24090, Volume 17, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 16th day of December, 1977.


James E. Sexson
Director