

Union County

IN THE MATTER OF THE APPLICATION)
 OF GUILD UNITED DITCHES FOR THE)
 APPROVAL OF A CHANGE IN POINT OF)
 DIVERSION OF WATER FROM CATHERINE)
 CREEK)

ORDER APPROVING
TRANSFER NO. 3256

On June 5, 1975, Guild United Ditches filed an application in the office of the Water Resources Director 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.

Water rights, tabulated as follows, were established by decree of the court in the matter of The Determination of the Relative Rights of the Various Claimants to the Waters of the Grande Ronde River and its Tributaries, to appropriate waters of Catherine Creek for irrigation of 11.9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 32.05 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 0.25 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 30.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 4 South, Range 39 East, W.M.; 6.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 9.75 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 12.08 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 8.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 2.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 32.55 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 30.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, Township 4 South, Range 40 East, W.M.

These lands receive water by means of the Guild, Town, Red Barn and Clute ditches, all having a common point of diversion from Catherine Creek at a point located 120 feet South and 1140 feet East from the North quarter-corner of Section 19, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 4 South, Range 40 East, W.M.

The applicant herein, an association of the said individual ditch companies responsible for maintenance and operation of the ditch system, proposes to change the common point of diversion to a point located 157.5 feet South and 1866 feet East from the North quarter-corner of Section 19, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 4 South, Range 40 East, W.M.

<u>Cert. Page No.</u>	<u>Relative Priority Date</u>	<u>Description of Irr. Land by Acres & Location</u>	<u>Name, Decree Tabulation</u>	<u>Ditch</u>
6154	1891	2.0 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19	Ethel M. Bachant	Guild
6158*	1891	1.0 SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19	N. G. & Mollie Baird	Guild
6174	1876	0.5 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 S $\frac{1}{2}$ Blk 15, West Union	W. A. Blain	Town
	1891	1.5 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19		Guild
6175	1876	0.50 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 N $\frac{1}{2}$ Blk 14, West Union	S. S. Booth	Town
6179	1891	1.5 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 Blk 17, Hanns' Addition to Union, Oregon	J. J. Brown	Red Barn
6203	1891	0.5 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 1.0 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19	Hattie Clark	Red Barn
6204	1891	3.5 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19	Emma Clark	Red Barn
6206	April 1879	0.5 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 N $\frac{1}{2}$ Blk 17, Town of Union	F. S. Cline	Guild
6209	1876	1.0 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 Blk 16, West Union	Thomas Brasher	Town
6221	1891	1.0 SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19	Mrs. H. E. Cowan	Guild
6226	1891	0.5 SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19	Carrie B. Crouter	Guild
6228	1882	0.5 SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19	Cora M. Davis	Guild
6234	1873	2.0 SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24 T 4 S, R 39 E, WM	J. A. DeVore	Town
6235	1892	2.2 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19	Edythe Dobbin	Guild
6242	1880	3/8 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 Lots 4 & 5, Blk 22 Town of West Union	Green & Sarah Susan Dotson	Town
6243	1876	1.0 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 Blk 17, West Union	A. H. Drake	Town
6244	1891	0.5 SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19	C. F. Dreher	Red Barn
6262	1891	2.0 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19	Rose E. Feiser	Guild
6263	1876	0.5 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 N $\frac{1}{2}$ Blk 15, West Union	J. W. Ferguson	Town
6278*	1891	0.9 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 Lots 3, 4, 5 & 6 Blk 13 Hannah's Add. to Union	S. O. Gates	Red Barn

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6280	1892	1.4 SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19	Jennie Gilfillan	Guild
6289	1963	16.0 SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24	A. J. Goodbrod	Red Barn
	1865	2.5 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19		
6292	1891	0.5 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19	Thomas Graham	Guild
6357	1876	0.5 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 N $\frac{1}{2}$ Blk 18, West Union	W. D. Hanks	Town
6361	1876	0.5 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 S $\frac{1}{2}$ Blk 14, West Union	S. N. Haynes	Town
6365	1891	0.75 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19 0.25 SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24 0.25 NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24	A. W. Heppner	Red Barn
6366	1905	1.0 NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19	J. W. Hetherington	Red Barn
6386	1891	1.8 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 Blk 18, Hannas Add. to Union, Oregon	J. M. Hursh	Red Barn
6389*	1876	13.9 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24	J. H. Hutchinson	Town
6399	1891	1.0 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19	Nellie L. Johnson	Guild
6427	1876	0.75 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 W $\frac{1}{2}$ Blk 8 and Lots 3 & 4 Blk 8, West Union	Edna Levy	Town
6428*	1867	1.3 SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19	Leon Levy	Guild
6429	1904	10.0 SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24	M. S. Levy	Red Barn
6432	1876	0.5 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 N $\frac{1}{2}$ Blk 6, West Union	Eph Lindsay	Town
6449*	1891	1.0 SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19	E. L. & Jennie McIntosh	Guild
6454	1876	1.0 SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24	Sam McMaster	Town
6463	1891	4.75 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19	W. O. Miller	Guild
6468	1880	0.8 SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24	Margaret E. Moffitt	Clute
6478	1890	3.0 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19	J. T. Mulvahill	Guild
40401	(Supersedes in part 6491) 1865	2.5 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19	Fred N. Nodine	Guild
6516*	1891	0.5 SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19	W. L. Phillips	Guild
6532	1886	1.0 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 Lots 1, 2, 7 & 8, Blk 8 Hannah's Add., West Union	F. M. Reynolds	Red Barn

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6536*	1890	1.0 NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19	F. M. Ricker	Guild
6545	1882	1.0 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19	G. H. Rollins	Clute
6557	1880	1.0 SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24	S. M. Seamans	Clute
6561	1876	1.0 SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24	Estate of Thomas Shaw	Town
6573	1880	0.5 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 N $\frac{1}{2}$ blk 24, West Union	Geo. Southwick	Clute
6577	1884	3.75 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19	Ada Sterzwer	Guild
6586	1891	1.0 SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19	W. M. Stoker	Guild
6608	1891	1.0 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19	W. E. Turner	Red Barn
6609*	1874	30.0 SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19 30.0 SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24	Union Orchard Company	Guild
6612	1865	0.5 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 S $\frac{1}{2}$ Blk 25, West Union	Abe Vandevanter	Clute
6613	1880	0.5 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 Lots 2, 5, 7 & 8, Blk 23, West Union	Don Vandeventer	Clute
6621*	1876	0.5 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 S $\frac{1}{2}$ blk 13, West Union	R. L. Wakefield	Town
6627*	1891	5.1 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19	J. P. Welch	Guild
6629	1879	0.5 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 S $\frac{1}{2}$ Blk 17, Town of Union	Frederick West	Guild
6633	1891	3.5 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19	William Wigglesworth	Guild
6637	1876	1.0 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 blk 5, West Union	Barbara Wilson	Town
6638	1881	0.5 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19	Mary F. Wilson	Clute
6651	1876	0.5 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19 W $\frac{1}{2}$ Blk 11, West Union	Jane E. Wright	Town

NOTE: * These certificates also cover water rights on other lands that are not served through the Guild United Ditches system and, therefore, are not involved in this proceeding.

Notice of the application, pursuant to ORS 540.510 was published in the Eastern Oregon Review, a newspaper printed and having general circulation in Union County, Oregon, for a period of three weeks in the issues of May 28, June 4 and 11, 1976.

Mr. Boyd Hadden, Watermaster of District No. 6, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objection 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 from Catherine Creek 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 rights involved herein.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed:

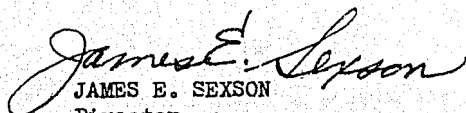
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 construction work shall be completed and the change in point of diversion of water made on or before October 1, 1978.

It is FURTHER ORDERED that the 60 certificates of water rights heretofore issued to the individuals and recorded at pages of the State Record of Water Right Certificates, as tabulated herein, are canceled, and in lieu thereof new certificates be issued covering the balance of the rights under the certificates recorded at Pages 6158, 6278, 6389, 6428, 6449, 6516, 6536, 6609, 6621 and 6627, State Record of Water Right Certificates, 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, confirming certificates of water right shall be issued to Guild United Ditches.

Dated at Salem, Oregon, this 23rd day of December, 1976.


JAMES E. SEXSON
Director