

## Grant County

IN THE MATTER OF THE APPLICATION  
 OF CARLYLE WOODLEY FOR THE APPROVAL  
 OF A CHANGE IN PLACE OF USE AND  
 POINT OF DIVERSION OF WATER FROM  
 DIXIE CREEK

ORDER APPROVING  
TRANSFER NO. 3481

On October 14, 1976, Carlyle Woodley filed an application in the office of the Water Resources Director for the approval of a change in place of use and point of diversion of water from Dixie Creek pursuant to the provisions of ORS 540.510 to 540.530.

Certificate recorded at Page 36815, Volume 28, State Record of Water Right Certificates, in the name of Carlyle Woodley includes the use of water from Dixie Creek for irrigation of 0.43 acre in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 2, Township 13 South, Range 33 East, W.M., being lots 3, 4 and 5, Block 11, Cleaver & Cozart's Addition to Prairie City, with a date of priority of 1894.

Water for the said right is diverted through the Cozart ditch, from a point located 70 feet North and 260 feet East from the West quarter-corner of Section 2, being within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 2, Township 13 South, Range 33 East, W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the point of diversion and place of use and to irrigate a certain 0.43 acre tract in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 2, by pumping water from Dixie Creek at a point located 245 feet South and 540 feet East from the Northwest corner of Section 2, being within the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 2, Township 13 South, Range 33 East, W.M.

Notice of the application, pursuant to ORS 540.510 was published in the Pioneer Press, a newspaper printed and having general circulation in Grant County, Oregon, for a period of three weeks in the issues of November 4, 11 and 18, 1976.

Mr. Robert F. Main, Jr., Watermaster of District No. 4, has filed a statement to the effect that the proposed change in place of use and point of diversion may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed change in place of use and 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 place of use and point of diversion 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 right involved herein.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices:

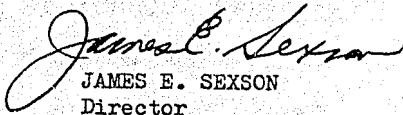
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the construction work shall be completed, the change in point of diversion of water made, and water so transferred applied to beneficial use on or before October 1, 1977.

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 Carlyle Woodley and recorded at Page 36815, Volume 28, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right shall be issued to Carlyle Woodley.

Dated at Salem, Oregon, this 3rd day of January, 1977.

  
JAMES E. SEXSON  
Director