

BEFORE THE STATE ENGINEER OF OREGON

Wasco County

IN THE MATTER OF THE APPLICATION )  
OF CLAIR CREIGHTON FOR THE APPRO- )  
VAL OF A CHANGE IN POINT OF DI- )  
VERSION OF WATER FROM EIGHTMILE )  
CREEK )  
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O R D E R

APPROVING APPLICATION

On April 13, 1961, Clair Creighton of The Dalles, Oregon, filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Eightmile Creek.

Certificate of water right issued to M. Longren, D. S. Doyle, J. N. Williams and Amanda Williams and recorded at page 2839, Volume 4, State Record of Water Right Certificates, confirms a right under Permit No. 2715 for the irrigation of, among other lands, 15.0 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 15-1/8 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 11 and 15.0 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 12, Township 1 South, Range 13 East, W. M., with a date of priority of November 15, 1915. By Decree of the Circuit Court of Wasco County, Oregon, entered April 14, 1925, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Fifteenmile Creek and its Tributaries, a water right was established in the name of Amanda Williams for the irrigation of 7.8 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 0.2 acre in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 11 and 8.6 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 12, all being in Township 1 South, Range 13 East, W. M., with a date of priority of 1888. All of these lands are irrigated through the Doyle and Company ditch from Eightmile Creek, the point of diversion of said ditch being located 1890 feet North and 1150 feet East from the Southwest corner of Section 11, and being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , said Section 11, Township 1 South, Range 13 East, W. M.

Clair Creighton, owner of 51.6 acres of the lands above described, to-wit: 15.0 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 5.0 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 11 and 15.0 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 12, Township 1 South, Range 13 East, W. M., with a date of priority of November 15, 1915 and 7.8 acres in the

NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 0.2 acre in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , said Section 11 and 8.6 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , said Section 12, with a date of priority of 1886, proposes to irrigate said lands by means of a pumping plant, the point of diversion of said pumping plant to be located 570 feet South and 5 feet West from the Northeast corner of Section 11, and being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , said Section 11, Township 1 South, Range 13 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 The Dalles, Oregon, on July 6, 1961, at 9:30 o'clock a.m. The notice was published in The Dalles Optimist, a newspaper printed and having general circulation in Wasco County, Oregon, for a period of three weeks in the issues of May 11, 18 and 25, 1961. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. William A. Johnson, Watermaster of District No. 3, has filed a report to the effect that the proposed change in points of diversion of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of diversion of water 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, to-wit:

From a point located 1890 feet North and 1150 feet East from the southwest corner of Section 11, and being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , said Section 11, Township 1 South, Range 13 East, W. M.

To a point to be located 570 feet South and 5 feet West from the northeast corner of Section 11, and being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , said Section 11, Township 1 South, Range 13 East, W. M.

for the irrigation of 15.0 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 5.0 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 11 and 15.0 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 12, Township 1 South, Range 13 East, W. M., with a date of priority of November 15, 1915 and 7.8 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 0.2 acre in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , said Section 11 and 8.6 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , said Section 12, with a date of priority of 1888, be and the same hereby is approved.

It is FURTHER ORDERED that the change in point of diversion of water shall be completed on or before October 1, 1962, 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 plants 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 of Wasco County, Oregon, 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 18th day of August, 1951.

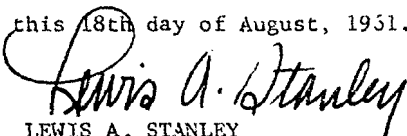
Noted on Decree

Vol. 8, p. 117

Cert. # 5681

App # 4629

Cert. # 2839

  
LEWIS A. STANLEY  
State Engineer