

BEFORE THE STATE ENGINEER OF OREGON

Crook County

IN THE MATTER OF THE APPLICATION )  
OF EARL FOREST FOR THE APPROVAL )  
OF A CHANGE IN POINT OF DIVER- )  
SION OF WATER FROM CROOKED RIVER. )

O R D E R

APPROVING APPLICATION

On February 15, 1950, Earl Forest of Route 1, Box 48, Prineville, Oregon, filed an application for the approval of a change in point of diversion of water from Crooked River, pursuant to the provisions of Section 116-606, O. C. L. A.

In the adjudication proceedings determining the relative rights to the use of the waters of Crooked River and its tributaries, a water right was adjudicated in the name of Francis Forrest for the irrigation of, among other lands, 10 acres in the SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , Section 20 and 5 acres in the NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and 35.6 acres in the NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , Section 29 and 4.4 acres in the NE $\frac{1}{4}$ , NE $\frac{1}{4}$ , Section 30, Township 14 South, Range 14 East, W. M., with a date of priority of 1892, through the Peoples Ditch, from Crooked River. The point of diversion of the Peoples Ditch is located 744.2 feet south and 321 feet east from the northwest corner of the SW $\frac{1}{4}$  of Section 8, Township 15 South, Range 16 East, W. M.

Earl Forest, owner of the above described land, to which said water right is appurtenant, proposes to irrigate said land by means of a pumping plant, the point of diversion of said pumping plant to be located 1085 feet south and 970 feet west from the N $\frac{1}{4}$  corner of Section 29, Township 14 South, Range 14 East, W. M.

Notice by publication as provided by Section 116-606, O. C. L. A., was given in the Central Oregonian, a newspaper printed and having general circulation in Crook County, for a period of at least three weeks and not less than one publication each week, being the issues of April 6, 13 and 20, 1950. The time fixed for hearing in the notice was not less than 30 days after the last publication of said notice.

Mr. R. L. Schee, Watermaster of District No. 11, Prineville, Oregon, has filed a statement to the effect that the proposed change in point 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 from Crooked River 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 from Crooked River, to-wit:

From a point located 744.2 feet south and 321 feet east from the northwest corner of the SW $\frac{1}{4}$ , Section 8, and being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , said Section 8, Township 15 South, Range 16 East, W. M.,

To a point to be located 1085 feet south and 970 feet west from the north quarter corner of Section 29, and being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , said Section 29, Township 14 South, Range 14 East, W. M.,

for the irrigation of 10 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 20 and 5 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  and 35.6 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 29 and 4.4 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 30, Township 14 South, Range 14 East, W. M., with a date of priority of 1892, be and the same hereby is approved.

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 plant be constructed at a sufficient distance from the stream to permit the construction of a headgate to regulate the flow of water from the stream to the pump sump and to install a weir or measuring device for measuring the water to which the applicant is entitled;

That the location of the pumping plant and channel to convey the water to the pump and the plans for the headgate and weir or measuring device be approved before the beginning of construction work by the watermaster of Crook County, Oregon, and that the headgate, weir or measuring device be constructed under the general supervision of said watermaster.

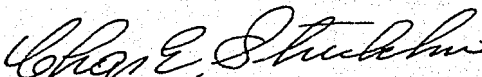
It is FURTHER ORDERED that the construction work required to be done in connection with the proposed change in point of diversion of water shall be completed on or before October 1, 1951 or such extension of time as may be granted by the State Engineer for good cause shown.

Dated at Salem, Oregon, this 2nd day of August, 1950.

*Noted on Decree*

*Vol. 1 p 332*

*Cert. 638*

  
CHAS. E. STRICKLIN  
State Engineer