

BEFORE THE STATE ENGINEER OF OREGON

Grant County

IN THE MATTER OF THE APPLICATION )  
OF B. A. TROWBRIDGE FOR THE APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION OF )  
WATER FROM JOHN DAY RIVER )  
----- )

ORDER APPROVING  
TRANSFER NO. T-80

*Correction Order*

On April 2, 1968, B. A. Trowbridge filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from John Day River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Grant County, Oregon, entered June 26, 1930, In the Matter of the Determination of the Relative Rights to the Use of the Waters of John Day River and Its Tributaries, a water right was established in the name of Bradford C. Trowbridge for the use of the waters of John Day River for stock and irrigation of, among other lands, 5.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 23, 1.1 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 9.4 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 26, Township 13 South, Range 31 East, W.M., with a date of priority of 1863. This right was confirmed by certificate recorded at page 25925, Volume 18, State Record of Water Right Certificates. This land is irrigated by means of the Trowbridge Ditch, the point of diversion being located 920 feet West and 2180 feet North from the E $\frac{1}{4}$  corner of Section 25 being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 25, Township 13 South, Range 31 East, W.M.

The applicant herein, contract purchaser of the land above described, proposes to water stock and irrigate these lands by means of the Town Ditch from a point to be located 2300 feet North and 980 feet West from the W $\frac{1}{4}$  corner of Section 25 being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 26, Township 13 South, Range 31 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 Canyon City, Oregon, on July 17, 1968, at 9:30 a.m. The notice was published in The Record-Courier, a newspaper printed and having general circulation in Grant County, Oregon, for a period of three weeks in the issues of May 23, 30, and June 6, 1968. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Wayne J. Overcash, Watermaster District No. 4, has filed a report 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 point of diversion of water may be established without injury to existing rights the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from John Day River, to-wit:

From a point located 920 feet West and 2180 feet North from the E $\frac{1}{4}$  corner of Section 25 being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 25, Township 13 South, Range 31 East, W.M.

To a point to be located 2300 feet North and 980 feet West from the W $\frac{1}{4}$  corner of Section 25 being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 26, Township 13 South, Range 31 East, W.M.

for the irrigation of 5.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 23, 1.1 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 9.4 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 26, Township 13 South, Range 31 East, W.M., with a date of priority of 1863, is approved.

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, 1968.

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 and shall not exceed 1/40 cubic foot per second per acre irrigated from April 1 to September 30; further limited to one acre-foot per acre per calendar month to July 1 and 3/4 acre-foot per acre thereafter; total five acre-feet per acre for season, measured at point of diversion.

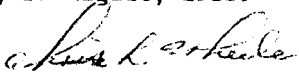
It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed.

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 certificate of water right heretofore issued to Bradford C. Trowbridge and recorded at page 25925, Volume 18, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding, and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to B. A. Trowbridge confirming said change in point of diversion.

Dated at Salem, Oregon, this 21st day of August, 1968.

  
CHRIS L. WHEELER  
State Engineer