

BEFORE THE STATE ENGINEER OF OREGON

Crook County

IN THE MATTER OF THE APPLICATION)
OF JOHN SHARP FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM CROOKED RIVER.)

O R D E R

APPROVING APPLICATION

On November 9, 1959, John Sharp of Post, Oregon, filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Crooked River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Roy and O. B. Gray and recorded at page 3876, Volume 5, State Record of Water Right Certificates, confirms a right under Permit No. 3768 for the use of the waters of Crooked River and springs for the irrigation of 25 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 35 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, and 40 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, Township 17 South, Range 22 East, W. M., with a date of priority of April 4, 1918. The point of diversion for the irrigation of lands from Crooked River through an unnamed ditch is located 1710 feet south and 3910 feet east from the northwest corner of Section 22, and being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 22, Township 17 South, Range 22 East, W. M.

The applicant herein, owner of the lands above described, proposes to irrigate the lands from Crooked River by means of a pumping plant, the point of diversion of said pumping plant to be located 3805 feet south and 4225 feet east from the northwest corner of Section 8, and being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 8, Township 17 South, Range 22 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 Prineville, Oregon, on February 10, 1960, beginning at 9:00 o'clock a.m. The notice was published in the Central Oregonian, a newspaper printed and having general circulation in Crook County, Oregon,

for a period of three weeks in the issues of December 17, 24, and 31, 1959. The date set for hearing in said notice was not less than thirty days after the last publication of said notice.

Mr. Joe A. Cox, Watermaster of District No. 11, 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 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 from Crooked River, to-wit:

From a point located 1710 feet south and 3910 feet east from the northwest corner of Section 22, and being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 22, Township 17 South, Range 22 East, W. M.,

To a point to be located 3805 feet south and 4225 feet east from the northwest corner of Section 8, and being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 8, Township 17 South, Range 22 East, W. M.,

for the irrigation of 25 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 35 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, and 40 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, Township 17 South, Range 22 East, W. M., with a date of priority of April 4, 1918, be and the same 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, 1960, 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.

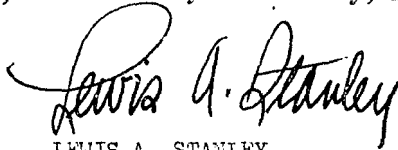
It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster, it becomes necessary to install headgates and measuring devices.

That the pumping plant 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 Crook 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 10th day of February, 1960.

*Noted on Cert. # 3876
and App. # 6054
Trans. # 5-122*



LEWIS A. STANLEY
State Engineer