

BEFORE THE STATE ENGINEER OF OREGON

Crook County

IN THE MATTER OF THE APPLICATION )  
OF BERT WINTERS FOR THE APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM CROOKED RIVER )  
-----

O R D E R  
APPROVING APPLICATION

By decree of the Circuit Court for Crook County, entered April 13, 1914, in the matter of the determination of the relative rights of the various claimants to the waters of Crooked River and its tributaries, a water right was established in the name of the Peoples Irrigation Company for the irrigation of, among other lands, 40 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 30 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 29, Township 14 South, Range 14, East, W.M., with a date of priority of 1898. The point of diversion for the irrigation of lands from Crooked River through the Peoples Ditch, also known as the Crooked River Central Ditch, is located 744.2 feet South and 321 feet East from the Northwest corner of the SW $\frac{1}{4}$  of Section 8, being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , said Section 8, Township 15 South, Range 16 East, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate said lands by means of a pumping plant, the point of diversion of said pumping plant to be located 333 feet North and 140 feet West from the Southeast corner of Section 20, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , said Section 20, Township 14 South, Range 14 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 May 25, 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 March 31, 1960, April 7 and 14, 1960. The date set for hearing in said notice was not less than thirty days after the last publication of said notice.

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 744.2 feet South and 321 feet East from the Northwest corner of the SW $\frac{1}{4}$  of Section 8, 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 331 feet North and 140 feet West from the Southeast corner of Section 20, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , said Section 20, Township 14 South, Range 14 East, W.M.

for the irrigation of 40 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 30 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 29, Township 14 South, Range 14 East, W.M., with a date of priority of 1898, 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.

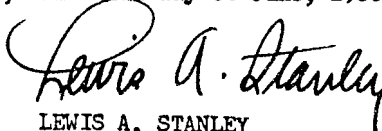
That the pumping plant and related works shall include a weir or other suitable device for measuring the water to which the applicant is entitled.

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 22nd day of June, 1960.

*On March 15, 1960, Suit Division  
filed App. for Change in Pt. of Div.*

*Noted on Decree  
Vol. 1 p. 332. Cert. # 638*



LEWIS A. STANLEY  
State Engineer