

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Grant County

IN THE MATTER OF THE APPLICATION }
OF L. C. SPAULDING FOR THE APPROVAL }
OF A CHANGE IN POINT OF DIVERSION OF }
WATER FROM LAYCOCK CREEK }

ORDER APPROVING
TRANSFER NO. 3424

On June 11, 1976, L. C. Spaulding filed an application for transfer of water right in the office of the Water Resources Director proposing a change in point of diversion of water under an existing right of record from Laycock Creek.

Certificate of water right issued to J. A. Laycock and recorded at Page 25456, Volume 17, State Record of Water Right Certificates, confirms a right to the use of water from Laycock Creek for the irrigation of, among other lands, 2.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.4 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 2.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 1.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 13 South, Range 30 East, W.M., with a date of priority of 1866.

These lands are irrigated by means of the Horn ditch from a point of diversion located 2300 feet South and 160 feet West from the Southeast corner of Section 25, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 36, Township 13 South, Range 30 East, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 2130 feet North and 875 feet West from the Southeast corner of Section 25, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 13 South, Range 30 East, W.M.

Notice of the application, pursuant to ORS 540.510 was published in the Blue Mountain Eagle, a newspaper printed and having general circulation in Grant County, Oregon, for a period of three weeks in the issues of July 1, 8 and 15, 1976.

Mr. Robert F. Main, Jr., Watermaster of District No. 4, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed change in point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of diversion described herein, without loss of priority, is approved.

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 to June 1 and 1/80 cubic foot per second per acre thereafter; further limited to one acre-foot per calendar month to June 1 and four acre-feet per acre during season April 1 to September 30, measured at point of diversion.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install head-gates and measuring devices:

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.

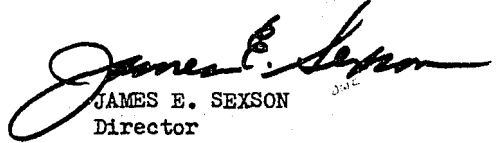
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1977.

It is FURTHER ORDERED that the certificate of water right heretofore issued to L. A. Laycock and recorded at Page 25456, Volume 17, State Record of Water Right Certificates, is canceled, and upon proof satisfactory to the

Water Resources Director of completion of the authorized change in point of diversion, a certificate of water right shall be issued to L. C. Spaulding confirming the right.

Dated at Salem, Oregon, this 14th day of September, 1976.


JAMES E. SEXSON
Director