

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CROOK COUNTY

IN THE MATTER OF THE APPLICATION)
OF BOSTON RANCH COMPANY FOR AP-)
PROVAL OF CHANGES IN PLACE OF USE)
AND POINT OF DIVERSION OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 3742

On July 28, 1977, an application was filed in the office of the Water Resources Director by Boston Ranch Company for approval of changes in place of use and point of diversion from Crooked River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 638, Volume 1, State Record of Water Right Certificates, in the name of The Peoples Irrigation Company, describes a right tabulated in the name of Deschutes Fine Wool Company, which includes the use of water from Crooked River for irrigation of a certain 5.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 20.9 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 11.4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 16.1 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 9.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, Township 14 South, Range 14 East, W.M., with dates of priority of 1904 and 1910.

The authorized point of diversion of record for the said right is located 744 feet South and 321 feet East from the West Quarter Corner of Section 8, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 15 South, Range 16 East, W.M. (Peoples Ditch).

The applicant herein, owner of the lands above described, proposes the following changes in place of use and point of diversion, without loss of priority:

- (a) Change the place of use from a certain 3.8 acres of the said lands in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, and to irrigate in lieu thereof a certain 1.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 2.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 23;
- (b) Change from the said point of diversion of record to an existing point of diversion located 2650 feet South and 4535 feet East from the Northwest Corner of Section 24, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 14 South, Range 14 East, W.M., for irrigation of said 20.9 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 9.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23;
- (c) Change from the said point of diversion of record to an existing point of diversion located 1750 feet South and 1960 feet West from the Northeast Corner of Section 23, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 14 South, Range 14

East, W.M., for irrigation of said 1.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 2.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 6.1 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23;

(d) Change from the said point of diversion of record to an existing point of diversion located 1806 feet South and 3940 feet West from the Northeast Corner of Section 23, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 14 South, Range 14 East, W.M. for irrigation of said 11.4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 6.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23.

Notice of the application, pursuant to ORS 540.510, 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 21 and 28, 1977 and January 4, 1978.

Mr. Robert F. Main, Jr., Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in place of use and 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 changes in place of use and point of diversion, as described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water diverted at the new points of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new points 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 no time need be fixed for completion as the changes in place of use and point of diversion are completed.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended

under the provisions of this order, the certificate of water right heretofore issued to The Peoples Irrigation Company and recorded at page 638, Volume 1, State Record of Water Right Certificates, be canceled, and in lieu thereof a new certificate of water right be issued to confirm this and prior transfers.

Dated at Salem, Oregon, this 23rd day of February, 1978.



James E. Sexson
Director