

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. 3743

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 10868, Volume 10, State Record of Water Right Certificates, in the name of R. H. McCallister, describes a right for the use of not to exceed 1.17 cubic feet per second from Crooked River for irrigation of a certain 35.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 8.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 20.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 30.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 24, Township 14 South, Range 14 East, W.M., with a date of priority of March 17, 1930.

The authorized point of diversion of record is located 1110 feet North and 0 feet East from the Southwest Corner of Section 22, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 22, Township 14 South, Range 15 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use and point of diversion therefrom and, without loss of priority, to irrigate in lieu thereof a certain 5.6 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 2.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 5.1 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 2.7 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 28.8 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 14.4 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 4.8 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , 6.8 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 22.8 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 24, Township 14 South, Range 14 East, W.M., from a 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 said Section 24.

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 point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 1.17 cubic feet per second.

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:

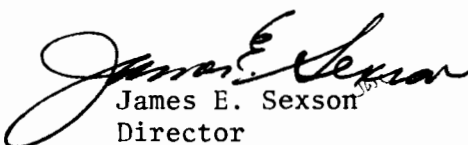
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 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 the certificate of water right heretofore issued to R. H. McCallister and recorded at page 10868, Volume 10, State Record of Water Right Certificates, is canceled, and 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, a confirming certificate of water right shall be issued to the applicant herein.

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

  
James E. Sexson  
Director