

GRANT COUNTY

IN THE MATTER OF THE APPLICATION)
OF DANIEL & EFFA AARSTAD FOR AP-)
PROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. C-203

On September 4, 1969, an application was filed in the office of the Water Resources Director by Curtis C. Carpenter, later assigned to Daniel and Effa Aarstad, for approval of changes in points of diversion from Canyon Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 36599, Volume 28, State Record of Water Right Certificates, in the name of Mrs. C. J. Bartlett, describes a right allowed by decree of the Court in the John Day adjudication and recorded at Volume 10, page 455, for the use of waters of Canyon Creek for irrigation of a certain 12.9 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 4.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 15 South, Range 31 East, W.M., with a date of priority of 1880.

Water for the said right is diverted, through the Powell Ditches, from points located (a) 240 feet North and 60 feet East and (b) 800 feet North and 400 feet East, both from the Southwest Corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 15 South, Range 31 East, W.M.

The applicants herein, owners of the lands above described, propose to change the points of diversion, without loss of priority, to two points located (A) 1150 feet North and 680 feet East and (B) 60 feet North and 60 feet East, both from the Southwest Corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 2.

Mr. Howard Daggett, Watermaster, has filed a statement to the effect that the proposed changes in points of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes 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 changes in points 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 shall not exceed the quantity of water available at the old points of

diversion under the subject right, and shall not exceed one-fortieth cubic foot per second per acre irrigated to June 1 and one-eightieth cubic foot 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 the 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:

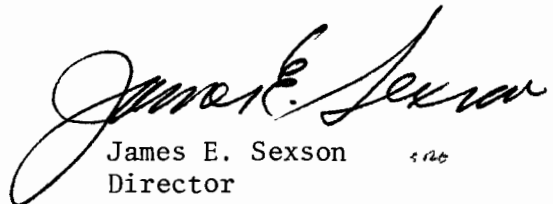
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 points of diversion are completed.

It is FURTHER ORDERED that the certificate recorded at page 36599, Volume 28, 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 applicants herein.

Dated at Salem, Oregon this 9th day of November, 1979.


James E. Sexson *s. Sex*
Director