

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UNION COUNTY

IN THE MATTER OF THE APPLICATION OF)
POWDER VALLEY WATER CONTROL DISTRICT) ORDER APPROVING
FOR APPROVAL OF AN ADDITIONAL POINT) TRANSFER 6218
OF DIVERSION OF WATER)

The Powder Valley Water Control District filed an application with the Water Resources Director for approval of an additional point of diversion of water from Anthony Creek, as provided by ORS 540.510 to 540.530.

By Decree of the Circuit Court for Union County, Oregon, entered April 24, 1913, In the Matter of the Determination of the Relative Rights to the Use of the Waters of the North Powder River and its tributaries, a water right was allowed in the name of Geo. M. Carnes for the use of Water from Anthony Creek for irrigation of a certain 37 acres NE 1/4 SE 1/4, 29 acres NW 1/4 SE 1/4, 29.5 acres SW 1/4 SE 1/4, 39 acres SE 1/4 SE 1/4, Section 25, Township 6 South, Range 38 East, W.M.; 40 acre NW 1/4 SE 1/4, 25 acres SW 1/4 SE 1/4, Section 30, Township 6 South, Range 39 East, W.M.; being tabulated in Volume 3, page 252, with a date of priority of 1898, as evidenced by certificate 1530. These lands are irrigated by means of the Carnes Ditch.

By Decree of the Circuit Court for Union County, Oregon, entered April 24, 1913, In the Matter of the Determination of the Relative Rights to the Use of the Waters of the North Powder River and its tributaries, a water right was allowed in the name of Edward A. Carnes for the use of Water from Anthony Creek for irrigation of a certain 40 acres NE 1/4 SW 1/4, 35 acres NW 1/4 SW 1/4, 35 acres SW 1/4 SW 1/4, 34 acres SE 1/4 SW 1/4, Section 30, Township 6 South, Range 39 East, W.M.; being tabulated in Volume 3, page 252, with a date of priority of 1898, as evidenced by certificate 1531. These lands are irrigated by means of the Carnes Ditch.

The applicant proposes to retain the present point of diversion and add a diversion (Lone Pine Ditch) located 2400 feet North and 100 feet East from the southwest corner of Section 17, being within the NW 1/4 SW 1/4, Section 17, Township 6 South, Range 38 East, W.M.

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

NOW, THEREFORE, it is hereby ORDERED that the proposed additional point of diversion is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water diverted at the Lone Pine Ditch, together with that diverted at the Carnes Ditch shall not exceed the quantity of water available at the Carnes Ditch 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 point of diversion as herein confirmed:

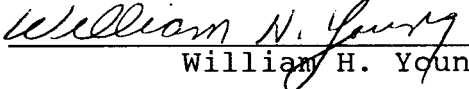
The diversion works shall include a headgate, an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

The type and plans of the headgate and measuring device must 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 water shall be used from the new diversion point on or before October 1, 1991.

It is FURTHER ORDERED that certificates 1530 and 1531 are canceled. 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, confirming certificates of water right shall be issued.

WITNESS the signature of the Water Resources Director, affixed December 29, 1989.


William H. Young

Recorded in Special Order Records at Volume 43, page 503.

T-6218.TES