

BEFORE THE STATE ENGINEER OF OREGON

Crook County

IN THE MATTER OF THE APPLICATION OF)
LUTHER E. CLAYPOOL FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION OF)
WATER FROM PAULINA CREEK.)

O R D E R

APPROVING APPLICATION

On September 18, 1947, Luther E. Claypool of Paulina, Oregon, filed an application for the approval of a change in point of diversion of water from Paulina Creek, pursuant to the provisions of Section 116-606, O. C. L. A.

In the adjudication proceedings determining the relative rights to the use of the waters of Crooked River and its tributaries, a water right was recognized in the name of L. D. Claypool for the irrigation of 23 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 38 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 3 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 13 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 15 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 12 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, 32 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 36 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 26 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, Township 16 South, Range 23 East, W.M., and in the name of the Oregon and Western Colonization Company for the irrigation of, among other lands, 25 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, Township 16 South, Range 23 East, W.M. All of the above-described lands are irrigated from Paulina Creek with a date of priority of 1891 through an unnamed ditch, the point of diversion of said ditch being located 2000 feet south and 1144 feet east from the northwest corner of Section 5, Township 16 South, Range 23 East, W.M.

The applicant herein, owner of the above-described lands, proposes to change the present point of diversion to a point to be located 2205 feet north and 1950 feet west from the southeast corner of Section 17, Township 16 South, Range 23 East, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely; at the County Court House in Prineville, Oregon, on the 20th day of November, 1947, at 10:00 o'clock A.M. The notice was published in the Central Oregonian, a newspaper printed and having general circulation in Crook County, for a period of at least three weeks, and not less than one publication each week, being the issues of October 2, 9, and 16, 1947. The date fixed for the hearing was not less than 30 days after the last publication of said notice.

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

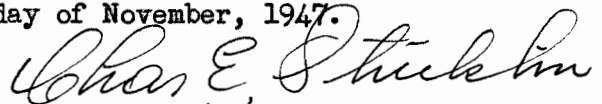
NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from Paulina Creek, to-wit:

From a point located 2000 feet south and 1144 feet east from the northwest corner of Section 5, Township 16 South, Range 23 East, W.M.

To a point to be located approximately 2205 feet north and 1950 feet west from the southeast corner of Section 17, Township 16 South, Range 23 East, W.M.

for the irrigation of 23 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 38 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 3 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 13 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 15 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 12 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, 32 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 40 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 36 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 26 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, and 25 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, all in Township 16 South, Range 23 East, W.M., with a date of priority of 1891, be and the same hereby is approved.

Dated at Salem, Oregon, this 26th day of November, 1947.



CHAS. E. STRICKLIN
State Engineer

*Noted on Decree,
Vol. 1, p. 317 + 420
Cert. 532 & 686 a
Trsf. No. C-72*