

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CROOK COUNTY

IN THE MATTER OF THE APPLICATION )  
OF WILLIAM H. PLEDGER FOR APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM CROOKED RIVER )  
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ORDER APPROVING  
TRANSFER NO. 4292

On September 7, 1979, an application was filed in the office of the Water Resources Director by William H. Pledger for approval of a change in point of diversion from Crooked River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 2928, Volume 4, State Record of Water Right Certificates, in the name of S. S. Stearns, describes a right for the use of not to exceed 0.63 cubic foot per second from Crooked River for irrigation of a certain 12.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  and 38.0 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 25, Township 15 South, Range 15 East, W.M., with a date of priority of February 28, 1909.

Water for the said right is diverted from a point located South 09 degrees 20 minutes West, 28.55 chains from the Northeast Corner of Section 36, being within the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 36, Township 15 South, Range 15 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 100 feet North and 1500 feet West from the Southeast Corner of Section 1, being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 1, Township 16 South, Range 15 East, W.M. (Swart Canyon Ditch).

Notice of the application, pursuant to ORS 540.520(2), 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 13, 20 and 27, 1979.

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

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

It is FURTHER ORDERED that the quantity of water diverted at the new point

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 effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

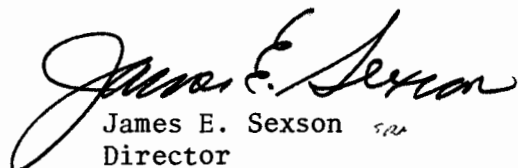
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1981.

2-928 It is FURTHER ORDERED that the certificate of water right recorded at page 2982, Volume 4, 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 14th day of February, 1980.

  
James E. Sexson  
Director