

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CROOK COUNTY

IN THE MATTER OF THE APPLICATION)
OF DAPHNE ROSE HUNT FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION))
OF WATER FROM OCHOCO CREEK)
- - - - -

ORDER APPROVING
TRANSFER NO. 2971

On February 7, 1974, an application was filed in the office of the Water Resources Director by Daphne Rose Hunt for approval of a change in point of diversion of water from Ochoco Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 602, Volume 1, State Record of Water Right Certificates, in the name of Mrs. L. Rose Lawson, describes a right which includes the use of water for stock use and not to exceed 0.5 cubic foot per second from Ochoco Creek for irrigation of a certain 10.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 30.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 14 South, Range 17 East, W.M., with a date of priority of 1880.

The authorized point of diversion for said right is located 350 feet South and 350 feet East from the Northwest Corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, Township 14 South, Range 17 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 700 feet South and 300 feet West from the Northeast Corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 14 South, Range 17 East, W.M.

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 February 21 and 28; and March 7, 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 of 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:

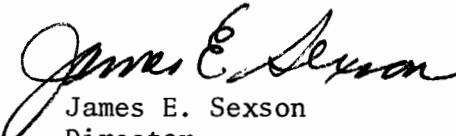
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 NO time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that the certificate of water right recorded at page 602, Volume 1, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; 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 9th day of May, 1979.


James E. Sexson
Director