

W-4 Ranch

ASSIGNED

Name W-4

By Howard Gable

Address _____

Kimberly, OR 97848

Change in POD

Date filed March 20, 1978

Date of hearing May 24, 1978

Place of hearing Canyon City

Date of order 5-30-78 Vol. 30, page 688

Date for application of water 10-1-79

Proof mailed MAY 25 1990

Proof received _____

Certificate issued AUG 14 1990 Vol. _____, page 64727

OK Cert

Notation made on record by _____

FPS IN MAP FILE E-44-11

REMARKS

6-18-79 ASSIGNED to: Poway Citrus Co., a Calif corp, 70 Austin B Rose, P.O. Box 960, Corvallis, CA 97331 Vol 6 Page 562

3908

DESCRIPTION OF WATER RIGHT

Name of stream John Day River

Trib. of _____ County of Grant

Use _____

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 1889

In name of _____

John Day River Adjudication, Vol. 10, page 512

App. No. _____ Per. No. _____ Cert. No. 25242

Certificate cancelled _____

FEES PAID

Date	Amount	Receipt No.
<u>3-20-78</u>	<u>35-</u>	<u>1678</u>
TOTAL . . .		
	No. Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.
	Exam 20-	
	POD 15-	
	35-	

INDEX CARDS:

	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>lg</u>	_____
<input checked="" type="checkbox"/> Stream	<u>lg</u>	_____
<input checked="" type="checkbox"/> Pt. of Div.	<u>lg</u>	_____
<input checked="" type="checkbox"/> Calendar	<u>lg</u>	_____
CHECKED TO RECORDS		
<input checked="" type="checkbox"/> Twp. & Rge.	<u>lg</u>	<u>lg</u>
<input checked="" type="checkbox"/> Deed-vault	<u>lg</u>	_____
<input checked="" type="checkbox"/> Deed-safe	<u>lg</u>	_____
<input checked="" type="checkbox"/> Cert. of W/R	<u>lg</u>	_____
<input checked="" type="checkbox"/> Per. Folder	_____	_____
<input checked="" type="checkbox"/> Chindex	_____	_____
<input checked="" type="checkbox"/> Cross Ref.	_____	_____
<input checked="" type="checkbox"/> Power Claims	<u>lg</u>	_____
<input checked="" type="checkbox"/> Abstracts	<u>lg</u>	_____

W.R.I.S.

Assembled 7-10-89 by SR1

Entered _____ by _____

Verified _____ by _____

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

GRANT COUNTY

IN THE MATTER OF THE APPLICATION)
OF W-4 RANCH BY HOWARD GABLE FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 3908

On March 20, 1978, an application was filed in the office of the Water Resources Director by W-4 Ranch by Howard Gable for approval of a change in point of diversion from John Day River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate issued to Stewart Grant, et. al., and recorded at page 25242, Volume 17, State Record of Water Right Certificates, describes a right for use of water from John Day River, with a priority date of 1889, for irrigation of a certain 14.2 acres, being 3.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 8.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7; and 1.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, Township 10 South, Range 26 East, W.M.

The authorized diversion of water is through the Johnson Ditch (North) from a point located 1550 feet South and 690 feet West from the North Quarter Corner of Section 18, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 18.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to Pump Station 4A located 750 feet North and 1700 feet East from the Southwest Corner of Section 7, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, Township 10 South, Range 26 East, W.M.

Notice of the application, pursuant to ORS 540.510, was published in The Blue Mountain Eagle, a newspaper printed and having general circulation in Grant County, Oregon, for a period of three weeks in the issues of March 30; April 6 and 13, 1978.

Mr. Jerry Rodgers, 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 of water from John Day River, 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:

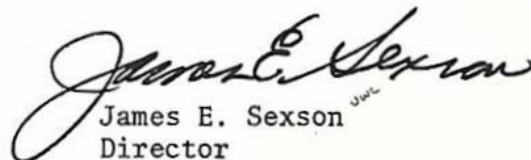
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Stewart Grant, et. al., and recorded at page 25242, Volume 17, 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 30th day of May, 1978.


James E. Sexson
Director

STATE OF OREGON

COUNTY OF ~~JOHN~~ GRANT

CERTIFICATE OF WATER RIGHT

This Is to Certify, That STEWART GRANT, MRS. ELLEN GRANT, MRS. CHALMERS,
 of Kimberly, State of Oregon, has a right to the use of
 the waters of John Day River 97848
 for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
 Grant County, and the said decree entered of record at Salem, in the Order Record of
 the STATE ENGINEER, in Volume 15, at page 461; that the priority of the right thereby
 confirmed dates from 1889

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
 amount actually beneficially used for said purposes, and shall not exceed 1/40 cubic foot per
 second per acre irrigated from April 1 to Sept. 30; further limited to one acre-
 foot per acre per calendar month; total of five acre-feet per acre for season,
 measured at point of diversion.

A description of the lands irrigated under such right, and to which the water is appurtenant
 (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

3.7 acres in SW 1/4 SW 1/4
 8.7 acres in SE 1/4 SW 1/4
 Section 7,
 1.8 acres in NE 1/4 NW 1/4
 Section 18,
 T. 10 S., R. 26 E., W. M.

A. 2
 D. 3608

And said right shall be subject to all other conditions and limitations contained in said decree.
 The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
 use herein described.

WITNESS the signature of the State Engineer, affixed

this 1st day of May, 19 59.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 25242

T-3908