

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION)
OF FORT VANNOY IRRIGATION DISTRICT)
FOR THE APPROVAL OF A CHANGE IN)
POINT OF DIVERSION OF WATER FROM)
ROGUE RIVER)
-----)

O R D E R

APPROVING APPLICATION

On June 27, 1962, Fort Vannoy Irrigation district of Grants Pass, Oregon, filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Rogue River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Fort Vannoy Irrigation District and recorded at page 8942, Volume 8, State Record of Water Right Certificates, confirms a right under Permit No. 9692 for the use of the waters of Rogue River for the irrigation of, among other lands, 310.22 acres, lying south of the Lower River Road, with a date of priority of June 21, 1930, said 310.22 acres being described as follows:

2 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$	10 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
3 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 20,
6 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$	14 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
25 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$	16 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
29 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$	18 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 15,	12 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
37.22 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 21,
36 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$	5 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 22,
40 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$	Township 36 South,
7 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$	Range 6 West, W.M.
Section 16,	

Certificate of water right issued to Fort Vannoy Orchards and recorded at page 2803, Volume 4, State Record of Water Right Certificates, confirms a right under Permit No. 4015 for the use of the waters of Rogue River for the irrigation of, among other lands, 10 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 36 South, Range 6 West, W. M., also lying south of the Lower River Road, with a date of priority of March 10, 1919. All of these lands are irrigated through the Fort Vannoy Irrigation District Main Canal, the point of diversion of said canal being located South 61 degrees East 1580 feet from the East $\frac{1}{4}$ corner of Section 15, and being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, Township 36 South, Range 6 West, W. M.

The applicant herein proposes to change the point of diversion for the irrigation of the above described lands to a point to be located North 71 degrees East 3150 feet from the southwest corner of Section 15, and being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 15, Township 36 South, Range 6 West, 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 courthouse at Grants Pass, Oregon, on October 17, 1962, at 9:30 o'clock a.m. The notice was published in the Grants Pass Bulletin, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of August 23, 30 and September 6, 1962. The date set for hearing was not less than thirty days after the last publication of the notice.

Mr. Robert B. Steimer, Watermaster of District No. 14, has filed a report 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 proposed change in point of diversion of water from Rogue River, to-wit:

From a point located South 61 degrees East 1580 feet from the East $\frac{1}{4}$ corner of Section 15, and being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, Township 36 South, Range 6 West, W.M.

To a point to be located North 71 degrees East 3150 feet from the southwest corner of Section 15, and being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 15, Township 36 South, Range 6 West, W. M.

for the irrigation of the following described lands lying south of the Lower River Road, with a date of priority of June 21, 1930:

2 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$
3 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$
6 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$
25 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
29 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 15,
37.22 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$
36 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$
40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
40 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
7 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 16,

10 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 20,
14 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
16 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
18 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
12 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 21,
5 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 22,
Township 36 South,
Range 6 West, W. M.

and 10 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 36 South, Range 6 West, W. M., also lying south of the Lower River Road, with a date of priority of March 10, 1919, be and the same is hereby approved.

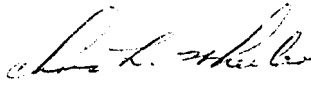
It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1964, or within such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water that is available at the old point of diversion.

Dated at Salem, Oregon, this 26th day of November, 1962.

Notations made in records:

*App# 5427 & 7952
Ord.# 1803 & 8042*


CHRIS L. WHEELER
State Engineer