

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF JOHN J. AND LOUELLA E. DICKENSON)
FOR THE APPROVAL OF A CHANGE IN)
POINT OF DIVERSION OF WATER FROM)
ROGUE RIVER)
-----)

O R D E R

APPROVING APPLICATION

On February 21, 1962, John J. and Louella E. Dickenson of Shady Cove, 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 George P. and Florence S. Waller and recorded at page 12271, Volume 11, State Record of Water Right Certificates, confirms a right under Permit No. 12635 to the use of the waters of Rogue River for the irrigation of, among other lands, 8 acres in Lot 1 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 15, Township 34 South, Range 1 West, W. M., with a date of priority of May 7, 1937. These lands are irrigated through an unnamed ditch, the point of diversion of said ditch being located 340 feet North and 3240 feet West from the E $\frac{1}{4}$ corner of Section 15, and being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 15, Township 34 South, Range 1 West, W. M.

The applicants herein, owners of 2.0 acres of the land above described, propose to irrigate these lands by means of a pumping plant, the point of diversion of said pumping plant being located 620 feet South and 326 feet West from the northeast corner of Government Lot 1, and being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, Township 34 South, Range 1 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 in Medford, Oregon, on May 8, 1962, at 9:30 o'clock a.m. The notice was published in the Ashland Daily Tidings, a newspaper printed and having general circulation in Jackson County, Oregon, for a

period of three weeks in the issues of March 13, 20 and 27, 1962. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. David C. Hendrix, Watermaster of District No. 13, has filed a report to the effect that the proposed change in point of diversion of water 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 340 feet North and 3240 feet West from the E $\frac{1}{4}$ corner of Section 15, and being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 15, Township 34 South, Range 1 West, W. M.

To a point to be located 620 feet South and 326 feet West from the northeast corner of Government Lot 1, and being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, Township 34 South, Range 1 West, W. M.

for the irrigation of 2.0 acres in Lot 1 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 15, Township 34 South, Range 1 West, W. M., with a date of priority of May 7, 1937, be and the same is 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, 1963, 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.

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 pumping plant and related works shall include a weir or other suitable device for measuring the water to which the applicant is entitled.

That the plans of the weir or other suitable device be approved by the watermaster of Jackson County, Oregon, before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

Dated at Salem, Oregon, this 15th day of May, 1962.

Noted on records
App. # 16877
Cont. # 12271

Max F. Rogers
MAX F. ROGERS
Acting State Engineer