

BEFORE THE STATE ENGINEER OF OREGON

Wasco County

IN THE MATTER OF THE APPLICATION)
OF JULIUS AND CHARLIE SANDOZ FOR)
THE APPROVAL OF CHANGES IN POINTS)
OF DIVERSION OF WATER FROM MILL)
CREEK.)

ORDER AMENDING ORDER
OF SEPTEMBER 21, 1961

On September 21, 1961, the State Engineer entered an order approving the application of Julius and Charlie Sandoz for approval of changes in points of diversion of water from Mill Creek, which order provided in part as follows, to-wit:

"NOW, THEREFORE, it hereby is ORDERED that the proposed changes in points of diversion of water from Mill Creek, to-wit:

From the South ditch which is located 1550 feet North and 1090 feet East from the southwest corner of Section 13, and being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 13, Township 1 North, Range 12 East, W. M., and

From the Sandoz ditch which is located 132 feet South and 60 feet West from the N $\frac{1}{4}$ corner of Section 23, and being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, Township 1 North, Range 12 East, W. M.

To a point to be located 1520 feet North and 1750 feet East from the southwest corner of Section 13, and being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, Township 1 North, Range 12 East, W. M.,

for domestic and stock purposes and the irrigation of 1.1 acre in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 3.0 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, Township 1 North, Range 12 East, W. M., with a date of priority of 1855, and for stock purposes and the irrigation of 3.8 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, and 5.2 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, and 6.1 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 1 North, Range 12 East, W. M., with a date of priority of 1855, and

From the L. A. Sandoz ditch which is located 198 feet North and 1320 feet West from the southwest corner of Section 13, and being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 1 North, Range 12 East, W. M.

To a point to be located 800 feet North and 460 feet East from the southwest corner of Section 13, and being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 13, Township 1 North, Range 12 East, W. M.,

for the irrigation of 9.0 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13 and 2.9 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 1 North, Range 12 East, W. M., with a date of priority of 1855, be and the same hereby are approved."

From a survey made on April 6, 1962, by Larry Jebousek, Watermaster of District No. 3, it appears that only one new point of diversion was constructed instead of two new diversions as originally contemplated, said new point of diversion being located 1600 feet North and 1600 feet East from the southwest corner of Section 13, and being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ as projected in the John Halligan D.L.C. No. 39, said Section 13, Township 1 North, Range 12 East, W. M.

Since only one point of diversion was constructed and is to be utilized for the irrigation of all the lands involved herein rather than the two points of diversion as originally intended, the State Engineer's Order entered September 21, 1961, should be amended to correctly describe the location of the actual point of diversion being used.

NOW, THEREFORE, it hereby is ORDERED that that part of the State Engineer's Order entered September 21, 1961, above set forth be deleted therefrom and insert in lieu thereof the following, to-wit:

From the South ditch which is located 1550 feet North and 1090 feet East from the southwest corner of Section 13, and being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 13, Township 1 North, Range 12 East, W. M., and

From the Sandoz ditch which is located 132 feet South and 60 feet West from the N $\frac{1}{4}$ corner of Section 23, and being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, Township 1 North, Range 12 East, W. M., and

From the L. A. Sandoz ditch which is located 198 feet North and 1320 feet West from the southwest corner of Section 13, and being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 1 North, Range 12 East, W. M.

To a point to be located 1600 feet North and 1600 feet East from the southwest corner of Section 13 and being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within the John Halligan D.L.C. No. 39, said Section 13, Township 1 North, Range 12 East, W. M.,

for domestic and stock purposes and the irrigation of 1.1 acre in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 3.0 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, Township 1 North, Range 12 East, W. M., with a date of priority of 1855, and for stock purposes and the irrigation of 3.8 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 5.2 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13 and 6.1 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 1 North, Range 12 East, W. M., with a date of priority of 1855, and for the irrigation of 9.0 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13 and 2.9 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 1 North, Range 12 East, W. M., with a date of priority of 1855, be and the same hereby are approved.

Dated at Salem, Oregon, this 11th day of February, 1964.

Notes on Deeds
Vol. 8, p. 120 #125
Dist. # 5688
" 5711
" 5713



CHRIS L. WHEELER
State Engineer

Map Sp. 12, Vol. 11, p. 230