

Jackson County

IN THE MATTER OF THE APPLICATION )  
OF R. B. RODGERS FOR THE APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM ROGUE RIVER. )

O R D E R

APPROVING APPLICATION

On September 19, 1949, R. B. Rodgers, Route 4 Box 156, Grants Pass, Oregon, filed an application for the approval of a change in point of diversion of water from Rogue River, pursuant to the provisions of Section 116-606, O.C.L.A.

Certificate of water right recorded at page 1867, Volume 3, State Record of Water Right Certificates was issued to W. D. Hodgson and R. L. McBride, confirming a right to the use of the waters of Rogue River under Permit No. 807, for the irrigation of, among other land, 85 acres in that part of D.L.C. No. 40, lying south of Rogue River in Section 21, Township 36 South, Range 4 West, W. M., with a date of priority of August 25, 1911. The above described land is irrigated through the Hodgson and McBride ditch, the point of diversion of said ditch being located at the northeast corner of Donation Land Claim No. 40, in Section 21, and being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , said Section 21, Township 36 South, Range 4 West, W. M.

R. B. Rodgers, owner of 2 acres of the above described 85 acres, to-wit: 0.25 acre in SW $\frac{1}{2}$  NW $\frac{1}{4}$  and 1.75 acre in NW $\frac{1}{4}$  SW $\frac{1}{2}$ , as projected on D.L.C. No. 40 in Section 21, Township 36 South, Range 4 West, W. M., proposes to irrigate said 2 acres by means of a pumping plant, the point of diversion of said pumping plant to be located 15 feet south and 100 feet east from the west quarter corner of Section 21, Township 36 South, Range 4 West, W.M.

Notice of filing the application was prepared by the State Engineer, 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 Court House at Medford, Oregon, on December 28, 1949, at 10:00 o'clock a.m. The notice was published for a period of at least three weeks and not less than one publication each week in the Medford Mail Tribune, a newspaper of general circulation in Jackson County, being the issues of November 1, 8 and 15, 1949. The date fixed for the hearing in said notice being not less than thirty days after the last publication of said notice.

Mr. Clinton A. Smith, Watermaster, District No. 15, 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 of water from Rogue River may be made without injury to existing rights the application should be approved.

NOW, THEREFORE, it is hereby ORDERED that the proposed change in point of diversion of water from Rogue River, to-wit:

From a point located near the northeast corner of Donation Land Claim No. 40 in Section 21, Township 36 South, Range 4 West, W. M.

To a point to be located 15 feet south and 100 feet east from the west quarter corner of Section 21, Township 36 South, Range 4 West, W. M.

for the irrigation of .25 acre in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , and 1.75 acre in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected on D.L.C. No. 40, in Section 21, Township 36 South, Range 4 West, W. M., with a date of priority of August 25, 1911, be and the same hereby is approved.


It is FURTHER ORDERED, that the following provisions shall be effective, when in the judgement of the watermaster, it became necessary to install headgates and measuring devices:

That the pumping plant be constructed at a sufficient distance from the stream to permit the construction of a headgate to regulate the flow of water from the

stream to the pump sump, and to install a weir or measuring device for measuring the water to which the applicant is entitled to use;

That the location of the pumping plant and channel to convey the water to the pump and the plans of the head-gate and weir or measuring device be approved, before the beginning of construction work, by the watermaster of Jackson County, Oregon, and that the headgate, weir or measuring device be constructed under the general supervision of said watermaster.

Dated at Salem, Oregon, this 24th day of January, 1950.

  
CHAS. E. STRICKLIN  
State Engineer

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