

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF VENSON A. HUNT FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM EVANS CREEK. -----)

O R D E R

APPROVING APPLICATION

On November 9, 1951, Venson A. Hunt, Rouge 1, Box 130, Rogue River, Oregon, filed an application for the approval of a change in point of diversion of water from Evans Creek, sometimes called East Fork Evans Creek, pursuant to the provisions of Section 116-606, O.C.L.A.

Certificate of water right recorded at page 1,997, Volume 3, State Record of Water Right Certificates, was issued to J. N. Hockersmith, confirming a right under Permit E-191 for the use of waters of Evans Creek, for the irrigation of, among other lands, 9 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 25 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, Township 34 South, Range 2 West, W. M., with a date of priority of August 27, 1913. The above described lands are irrigated through the Mayfield Ditch, the point of diversion of said ditch being located 300 feet south and 1,200 feet west from the south quarter corner of Section 9 and being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 34 South, Range 2 West, W. M.

The applicant herein proposes to irrigate said land by means of a pumping plant, the location of the point of diversion of said pumping plant to be 1,225 feet north and 1,350 feet west from the south-east corner, Section 20, and being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 20, Township 34 South, Range 2 West, W. M.

Notice by publication as provided by Section 116-606, O.C.L.A., was given in the Ashland Tidings, a newspaper printed and having general circulation in Jackson County, for a period of three weeks, being the issues of November 30 and December 7 and 14, 1951. The time for hearing

upon such application as fixed in the notice, namely: January 22, 1952, was not less than 30 days after the last publication of said notice.

Mr. Clinton A. Smith, Consultant, Water District No. 15, has filed a report to the effect that the proposed change in point of diversion of water from Evans Creek 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 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 Evans Creek, to-wit:

From a point located approximately 300 feet south and 1,200 feet west from the south quarter corner of Section 9 and being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 34 South, Range 2 West, W. M.,

To a point to be located 1,225 feet north and 1,350 feet west from the southeast corner of Section 20 and being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 20, Township 34 South, Range 2 West, W. M.,

for the irrigation of 9 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 25 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, Township 34 South, Range 2 West, W. M., with a date of priority of August 27, 1913, be and the same hereby is approved.

It is FURTHER ORDERED that the construction work shall be done and the change in point of diversion of water made on or before October 1, 1952, or within such extension of time as may be granted by the State Engineer for good cause shown, and that upon the completion of such work, satisfactory proof shall be filed with the State Engineer.

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 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:

That the location of the pumping plant and channel to convey the water to the pump and the plans of the headgate 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, 1952.

Noted on Cert. 1997


CHAS. E. STRICKLIN
State Engineer