

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF ARDEN M. TYRRELL FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM EVANS CREEK.)
-----)

O R D E R

APPROVING APPLICATION

On April 12, 1939, Arden M. Tyrrell filed an application for approval of a change in point of diversion of water from Evans Creek.

Certificate of water right, recorded at Page 2015, Volume 3, State Record of Water Right Certificates, was issued to L. A. Martin, confirming a right to the use of 0.53 cubic foot per second of the waters of Evans Creek for the irrigation of 14 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 27.75 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, Township 36 South, Range 4 West, W. M., with a date of priority of April 10, 1912. The water is conveyed to the foregoing lands through the Martin pumping plant, the point of diversion of such pumping plant being located 2,508 feet north and 2,409 feet west from the southeast corner of Section 4, Township 36 South, Range 4 West, W. M.

The applicant herein proposes to change the present point of diversion to a point to be located 288 feet north and 2,594 feet west from the east quarter corner of Section 4, Township 36 South, Range 4 West, W. M.

Notice by publication as provided by Section 47-712, Oregon Code 1930, was not required in connection with this application for the reason that the distance between the present point of diversion and the proposed new point of diversion is less than one-fourth mile and there are no intervening diversions between the old diversion and the proposed new diversion.

It appearing that the proposed change can be made without injury to existing rights,

NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion, to-wit: From a point located 2,508 feet north and 2,409 feet west from the southeast corner of Section 4, Township 36 South, Range 4 West, W. M., to a point to be located 233 feet north and 2,594 feet west from the east quarter corner of Section 4, Township 36 South, Range 4 West, W. M., with a date of priority of April 10, 1912, be and the same hereby is approved.

Dated at Salem, Oregon, this 18th day of April, 1939.


CHAS. E. STRICKLIN

State Engineer

*Noted on
Cert. 2015*