

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION)
OF CALVIN C. PIKE FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM CHANEY CREEK)

ORDER APPROVING
TRANSFER NO. P-102

On September 11, 1969, Calvin C. Pike filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Chaney Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Josephine County, Oregon, entered April 26, 1919, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Rogue River and its Tributaries, a water right was established in the name of John Lloyd for the use of the waters of Chaney Creek for the irrigation of 7.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, and 4.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 37 South, Range 7 West, W.M., with a date of priority of April 11, 1894. This right is evidenced by certificate recorded at page 16275, Volume 13, State Record of Water Right Certificates. These lands are irrigated by means of the Griffin Ditch from a point of diversion located 760 feet south and 1740 feet west from the SE corner of Section 14 being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 37 South, Range 7 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate said 4.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ from a point of diversion to be located 80 feet north and 360 feet west from the SE corner of Section 14 being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 37 South, Range 7 West, W.M. and to irrigate said 7.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ from a point of diversion to be located 495 feet north

and 742 feet east from the SE corner of Section 14 being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 37 South, Range 7 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 Grants Pass, Oregon, on March 12, 1970, at 9:30 a.m. The notice was published in The Grants Pass Bulletin, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of January 15, 22, and 29, 1970. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Robert B. Steimer, Watermaster of District No. 14, 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 may be made without injury to existing rights, the application should be approved.

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

From a point located 760 feet south and 1740 feet west from the SE corner of Section 14 being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 37 South, Range 7 West, W.M.

To a point to be located 80 feet north and 360 feet west from the SE corner of Section 14 being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 37 South, Range 7 West, W.M.

for the irrigation of 4.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 37 South, Range 7 West, W.M., and

To a point to be located 495 feet north and 742 feet east from the SE corner of Section 14 being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 37 South, Range 7 West, W.M.

for the irrigation of 7.0 acres in SW¹/₄ SW¹/₄, Section 13, Township 37 South, Range 7 West, W.M., with a date of priority of April 11, 1894, 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, 1970.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion and shall not exceed 0.22 cubic foot per second.

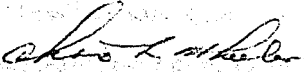
It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that certificate of water right heretofore issued to John Lloyd and recorded at page 16275, Volume 13, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Calvin C. Pike confirming said change in point of diversion.

Dated at Salem, Oregon, this 17th day of April, 1970.


CHRIS L. WHEELER
State Engineer