

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION )  
OF HAROLD N. VENCILL FOR THE )  
APPROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER FROM WILLIAMS )  
CREEK )

ORDER APPROVING  
TRANSFER NO. V-24

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On April 15, 1965, Harold N. Vencill of Williams, Oregon, filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Williams Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to E. L. Davis and recorded at page 836, Volume 1, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.2 cubic foot per second of water from Williams Creek for the irrigation of 16.0 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 3, Township 39 South, Range 5 West, W.M., with a date of priority of October 17, 1911. These lands are irrigated through the Bibby Ditch, the point of diversion being located south 21 degrees 45 minutes west, 942 feet from the southeast corner of the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 3, and being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , said Section 3, Township 39 South, Range 5 West, W.M.

Certificate of water right issued to E. L. Davis and recorded at page 2214, Volume 3, State Record of Water Right Certificates, confirms a right which includes the use of not to exceed 0.25 cubic foot per second of water from Williams Creet for the irrigation of, among other lands, 20.0 acres in said NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 3, with a date of priority of September 23, 1915. These lands are irrigated through the East Side Ditch, the point of diversion being located south 50 degrees east 49 chains from the northeast corner of Section 14, and being within the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , said Section 14, Township 39 South, Range 5 West, W.M. The balance of the right was canceled by special order of the State Engineer dated December 22, 1965.

The applicant herein, owner of the lands above described, proposes to irrigate said lands by means of a pumping plant, the point of diversion to be

located 600 feet north and 400 feet east from the southwest corner of the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 3, and being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , said Section 3, Township 39 South, Range 5 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 August 18, 1965 at 9:30 a.m. The notice was published in the Grants Pass Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks in the issues of June 22, 29 and July 6, 1965. The date set for hearing in said notice was not less than 30 days after the last publication of notice.

Mr. Robert B. Steimer, Watermaster of District 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 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 Williams Creek, to-wit:

From a point located south 21 degrees 45 minutes west, 942 feet from the southeast corner of the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 3, and being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , said Section 3, Township 39 South, Range 5 West, W.M., and a point located south 50 degrees east 49 chains from the northeast corner of Section 14, and being within the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , said Section 14, Township 39 South, Range 5 West, W.M.

To a point to be located 600 feet north and 400 feet east from the southwest corner of NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3, Township 39 South, Range 5 West, W.M.

for the irrigation of 16.0 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 3, Township 39 South, Range 5 West, W.M., with a date of priority of October 17, 1911, and 20.0 acres in said NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 3, Township 39 South, Range 5 West, W.M., with a date of priority of September 23, 1915, 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, 1966.

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 points of diversion.

It is FURTHER ORDERED that the following provision shall be carried out prior to the diverting of water at the new point of diversion has herein confirmed.

That the diversion works shall include a weir or other suitable device for measuring the water to which the applicant is entitled.

That the plans of the weir or other suitable 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 certificates of water right heretofore issued to E. L. Davis and recorded at page 856, Volume 1, and page 2214, Volume 3, State Record of Water Right Certificates, are canceled, and upon receipt of proof satisfactory to the State Engineer of completion of the authorized changes in point of diversion, certificates of water right shall be issued to Harold N. Vencill confirming said changes in point of diversion.

Dated at Salem, Oregon, this 22nd day of December, 1965.



CHRIS L. WEESLER  
State Engineer