

BEFORE THE STATE ENGINEER OF OREGON

Baker and Union Counties

IN THE MATTER OF THE APPLICATION)
 OF J. R. WANKER AND OTHERS, FOR)
 THE APPROVAL OF A CHANGE IN POINT)
 OF DIVERSION OF WATER.)

ORDER

Now at this time this matter coming on for consideration by the State Engineer on the application of J. R. Wanker, J. H. Wanker, J. F. Kennedy, and T. E. Kennedy, all of Medical Springs, Oregon, by their attorneys, Hubbard & Godwin of Baker, Oregon, and it appearing:

That in the decree of the Circuit Court entered in the Determination of Rights to waters of Powder River and its tributaries, dated March 18, 1918, water rights from Big Creek were awarded as follows:

| Name | Date | Acreage | Description of lands. |
|----------------|--------------|---------|--|
| Hoke, John G. | 1875 | 42 | 30 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2, |
| | | | 12 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1, T. 7 S. R. 41 E. W. M. |
| Kennedy, J. F. | 1875 | 14 | 28 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| | 1876 | 14 | 25 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| | 1883 | 20 | 9 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ |
| | 1871 | 58 | 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2, T. 7 S. R. 41 E. W. M. |
| Kennedy, T. E. | 1894 | 10 | 35 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2, |
| | | 52 | 0.5 " in NE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| | 1871 1908 | 40.5 | 32 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| | | | 12 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 23 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11, T. 7 S. R. 41 E. W. M. |
| Wanker, J. H. | 1892 | 55 | 30 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, |
| | 1876 | 19 | 35 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, T. 6 C. R. 41 E. W. M. |

The water used for the irrigation of said lands has heretofore been diverted through the Wilson Ditch, having its head in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35,

T. 6 S. R. 41 E. W. M., and other ditches in the immediate vicinity, all as shown on the official maps of the State Engineer made in the Powder River adjudication proceeding and on file in the office of the County Clerk at Baker, Oregon.

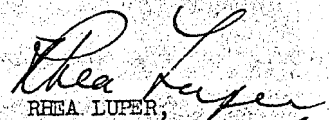
It is now proposed to change the diversion point of the water for said lands so that the same may be carried through the Hoke-Robertson Ditch No. 2, having its head in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, T. 6 S. R. 41 E. W. M., which is some 3 $\frac{1}{2}$ miles upstream from the head of the Wilson Ditch.

Notice of the filing of said application has been given by the State Engineer by publication, in newspapers printed and having general circulation in the counties in which such water rights are located, as provided by Section 5764, Oregon Laws, as amended by Chapter 219, Laws of 1927, and no objections to such application have been filed.

It further appearing that the proposed change may be made without injury to existing rights of other appropriators,

NOW THEREFORE, IT IS HEREBY ORDERED, that said change be and the same is hereby approved, without loss of priority of the water rights as heretofore established.

Dated this 19th day of May, 1928, at Salem, Oregon.


RHEA LUPER,
State Engineer.

Notations made in records:

*Decree - Vol. 6, p. 348 - Cert. # 4224
 / 406 : 427.8 and 4280
 / 455 : 4538*