

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF JOEL B. NORRIS FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM EVANS CREEK)

ORDER APPROVING
TRANSFER NO. 3014

On April 8, 1974, Joel B. Norris filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Evans Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Levi N. Stevens and recorded at page 5396, Volume 6, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.35 cubic foot per second of water from Evans Creek for the irrigation and supplemental irrigation of 18.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 4, Township 35 South, Range 3 West, W.M., with a date of priority of November 22, 1920. These lands are irrigated by means of the Silvers ditch from a point of diversion located 1740 feet North and 2480 feet East from the Southwest corner of Section 26, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 34 South, Range 3 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 680 feet South and 500 feet West from the Northeast corner of Section 4, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 4, Township 35 South, Range 3 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 Medford, Oregon, on July 29, 1974 at 1:00 p.m. The notice was published in the Medford Mail Tribune, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of June 6, 13 and 20, 1974. The date set for hearing in

said notice was not less than thirty days after the last publication of the notice.

Mr. David C. Hendrix, Watermaster of District No. 13, 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 change in point of diversion of water from Evans Creek, to wit:

From a point located 1740 feet North and 2480 feet East from the Southwest corner of Section 26, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 34 South, Range 3 West, W.M.

To a point to be located 680 feet South and 500 feet West from the Northeast corner of Section 4, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 35 South, Range 3 West, W.M.

for the irrigation and supplemental irrigation of 18.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 4, Township 35 South, Range 3 West, W.M., with a date of priority of November 22, 1920, 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, 1975.

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 0.35 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 Levi N. Stevens and recorded at page 5396, Volume 6, 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 Joel B. Norris confirming the change in point of diversion.

Dated at Salem, Oregon, this 31st day of July, 1974.



CHRIS L. WHEELER
State Engineer

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