

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION)
OF FORT VANNOY IRRIGATION DISTRICT)
FOR THE APPROVAL OF A CHANGE IN)
POINT OF DIVERSION OF WATER FROM)
DUTCHER CREEK.)

O R D E R
APPROVING APPLICATION

On March 19, 1953 the Fort Vannoy Irrigation District of Grants Pass, Oregon, filed an application for the approval of a change in point of diversion of water from Dutcher Creek pursuant to the provisions of Section 116-606, O.C.L.A.

Certificate of water right issued to Fort Vannoy Irrigation District and recorded at page 8943, Volume 8, State Record of Water Right Certificates, confirms a right to the use of the waters of Dutcher Creek under Permit No. 9693, for the irrigation of, among other lands, 20 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 18 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 33 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 36 South, Range 6 West, W.M., with a date of priority of April 6, 1922. These lands are irrigated through an unnamed ditch, the point of diversion of said ditch being located 910 feet south and 1090 feet east from the north quarter corner of Section 16, and being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 16, Township 36 South, Range 6 West, W.M.

The Fort Vannoy Irrigation District proposes to change the point of diversion for the irrigation of 39.6 acres of the lands above described, to-wit: 1.2 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.4 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and 33 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, to a point downstream to be located 627 feet north and 20 feet west from the southeast corner of the NW $\frac{1}{4}$, Section 16, and being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 16, Township 36 South, Range 6 West, W.M.

Notice by publication as provided by Section 116-606, O.C.L.A. was given in the Grants Pass Daily Courier, a newspaper printed and having general circulation in Josephine County, Oregon, for a period of three weeks, being

the issues of April 18, 25 and May 2, 1953. The time fixed for hearing in the notice, namely: June 10, 1953, was not less than thirty days after the last publication of the notice.

Mr. Tom R. Pearce, Watermaster of District No. 16, has filed a report to the effect that the proposed change in point of diversion of water from Dutcher Creek 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 from Dutcher Creek 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 Dutcher Creek, to-wit:

From a point located 910 feet south and 1090 feet east from the north quarter corner of Section 16, and being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 16, Township 36 South, Range 6 West, W. M.,


To a point to be located 627 feet north and 20 feet west from the southeast corner of the NW $\frac{1}{4}$, Section 16, and being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 16, Township 36 South, Range 6 West, W. M.,

for the irrigation of 1.2 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.4 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 33 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 36 South, Range 6 West, W. M., with a date of priority of April 6, 1922, be and the same hereby is approved.

It is FURTHER ORDERED that the construction work shall be done and the change in point of diversion of water made on or before October 1, 1953 or within such extension of time as may be granted by the State Engineer for good cause shown, and that upon the completion of such work, satisfactory proof shall be filed with the State Engineer.

Dated at Salem, Oregon this 18th day of June 1953.

Noted on Cert. # 8943


CHAS. E. STRICKLIN
State Engineer