

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF WM. PRICE IRWIN FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM EVANS CREEK, PURSUANT)
TO THE PROVISIONS OF SECTION 116-606,)
O. C. L. A.)
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ORDER
APPROVING APPLICATION

On April 26, 1945, Wm. Price Irwin of Route 1, Box 278, Rogue River, Oregon, filed an application for the approval of a change in point of diversion of water from Evans Creek.

Certificate of water right recorded at page 2015, Volume 3, State Record of Water Right Certificates, was issued to L. A. Martin confirming a right to the use of the waters of Evans Creek for the irrigation of 27.75 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, Township 36 South, Range 4 West, W. M., with a date of priority of April 10, 1912. The water is conveyed for the irrigation of said lands by means of the Martin Pumping Plant, the point of diversion of said pumping plant being located approximately 288 feet north and 2594 feet west from the east quarter corner, Section 4, Township 36 South, Range 4 West, W. M.

The applicant herein, owner of 16 acres of the above-described land, proposes to convey the water for the irrigation thereof by means of the Irwin Pumping Plant, the point of diversion of said pumping plant to be located approximately 2508 feet north and 2409 feet west from the southeast corner, Section 4, Township 36 South, Range 4 West, W. M.


Notice by publication as provided by Section 116-606, O. C. L. A., was not given in connection with this application for the reason that said section provides that notice is not required on applications for a change in point of diversion of water where the distance between the present and the proposed points of diversion is less than one-quarter mile and there are no intervening diversions.

From a report submitted by Mr. Clinton A. Smith, Watermaster, District No. 15, Medford, it appears that the proposed change in point of diversion of water may be made without injury to existing rights and the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from Evans Creek, to-wit: from a point located 288 feet north and 2594 feet west from the east quarter corner of Section 4, Township 36 South, Range 4 West, W. M., to a point to be located 2508 feet north and 2409 feet west from the southeast corner of Section 4, Township 36 South, Range 4 West, W. M., for the irrigation of 16 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, Township 36 South, Range 4 West, W. M., with a date of priority of April 10, 1912, be and the same hereby is approved.

Dated at Salem, Oregon, this 7th day of May, 1945.

*Noted on July 10, 1945
1945, I-11*


CHAS. E. STRICKLIN
State Engineer