

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF EDWIN H. AND GLADYS M. JENSEN)
FOR THE APPROVAL OF CHANGES IN)
POINTS OF DIVERSION OF WATER FROM)
ROGUE RIVER)
- - - - -)

O R D E R
APPROVING APPLICATION

On April 23, 1962, Edwin H. and Gladys M. Jensen of Grants Pass, Oregon, filed an application in the office of the State Engineer for the approval of changes in points of diversion of water from Rogue River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to John H. Priest and recorded at page 8411, Volume 8, State Record of Water Right Certificates, confirms a right under Permit No. 5688 to the use of the waters of Rogue River for the irrigation of, among other lands, 2.5 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Township 36 South, Range 4 West, W. M., with a date of priority of October 20, 1922. These lands are irrigated through the John H. Priest ditch, the point of diversion of said ditch being located 300 feet South and 400 feet East from the N $\frac{1}{2}$ corner of Section 21, and being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 21, Township 36 South, Range 4 West, W. M.

Certificate of water right issued to W. D. Hodgson and R. L. McBride and recorded at page 1867, Volume 3, State Record of Water Right Certificates, confirms a right under Permit No. 807 to the use of the waters of Rogue River for the irrigation of, among other lands, 85 acres in that part of D. L. C. No. 40 lying south of Rogue River, being in Section 21, Township 36 South, Range 4 West, W. M., with a date of priority of August 25, 1911. These lands are irrigated through the Hodgson and McBride Ditch, the point of diversion of said ditch being located near the northeast corner of D. L. C. No. 40, and being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Township 36 South, Range 4 West, W. M.

The applicant herein, owner of 0.4 acre of the lands described in paragraph 2 hereof, with a date of priority of October 20, 1922, and 1.5 acres of the lands described in paragraph 3 hereof, with a date of priority of August 25, 1911, propose to irrigate these lands by means of a pumping plant, the point of diversion of said pumping plant to be located North 64 degrees 02' East 520 feet from the northwest corner of Tract 6, Riverdale Tracts, and being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Township 36 South, Range 4 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 points of diversion of water, if any there were, namely: at the county courthouse in Medford, Oregon, on June 27, 1962, at 9:30 a.m. The notice was published in the Rogue River Times, a newspaper printed and having general circulation in Jackson County, Oregon, for a period of three weeks in the issues of May 4, 11 and 18, 1962. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Joseph L. Diddock, Assistant Watermaster of District No. 13, has filed a report to the effect that the proposed change in points 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 points 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 points of diversion of water from Rogue River, to-wit:

From a point located 300 feet South and 400 feet East from the N $\frac{1}{2}$ corner of Section 21, and being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, said Section 21, Township 36 South, Range 4 West, W. M., and

From a point located near the northeast corner of D. L.C. No. 40, and being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Township 36 South, Range 4 West, W. M.

To a point to be located North 64 degrees 02' East
520 feet from the northwest corner of Tract 6, River-
dale Tracts, and being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21,
Township 36 South, Range 4 West, W. M.

for the irrigation of 0.4 acre in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Township 36 South,
Range 4 West, W. M., with a date of priority of October 20, 1922, and 1.5
acres in D. L. C. No. 40 lying south of Rogue River, and being in the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 21, Township 36 South, Range 4 West, W. M., with a date of priority
of August 25, 1911, be and the same is hereby approved.

It is FURTHER ORDERED that the change in point of diversion of
water shall be completed on or before October 1, 1963, or within such exten-
sion of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that the quantity of water diverted at the
new point of diversion shall not exceed the quantity of water that is avail-
able at the old points of diversion.

It is FURTHER ORDERED that the following provisions shall be effec-
tive when in the judgment of the watermaster it becomes necessary to install
headgates and measuring devices.

That the pumping plant and related 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 of Jackson County, Oregon,
and that the weir or measuring device be installed under
the general supervision of said watermaster.

Dated at Salem, Oregon, this 13th day of July, 1962.

Noted on records
App. #1651 68685
Cert. #1867 68411

Chris L. Wheeler
CHRIS L. WHEELER
State Engineer