

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION OF)
A. E. BLISS FOR THE APPROVAL OF A)
CHANGE IN POINT OF DIVERSION OF WATER)
FROM LITTLE APPELEGATE RIVER.)
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O R D E R

APPROVING APPLICATION

On October 25, 1948, A. E. Bliss, Route 2, Box 34A, Jacksonville, Oregon, filed an application for the approval of a change in point of diversion of water from Little Applegate River, pursuant to the provisions of Section 116-606, O.C.L.A.

By Decree of the Circuit Court for Jackson County, Oregon, entered April 26, 1919, in the matter of the determination of the relative rights to the use of the waters of Rogue River and its tributaries, a water right was adjudicated in the name of Edwin Pierce for domestic and stock purposes and for the irrigation of 4 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, Township 39 South, Range 2 West, W.M., with a date of priority of 1908, from Little Applegate River. The above lands are irrigated through the Pierce Ditch, the point of diversion of said ditch being located approximately 358 feet South and 714 feet East from the NW corner of Section 26, and being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 26, Township 39 South, Range 2 West, W.M.

The applicant herein, owner of the above described land, proposes to change the point of diversion to a point upstream to be located 184 feet South and 1003 feet East from the NW corner of Section 26, and being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 26, Township 39 South, Range 2 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 in applications for a change in point of diversion of

less than one-fourth mile and where there are no intervening diversions between the old diversion of the applicant and his proposed new diversion, no notice shall be required to be published.

No objections having been filed and it appearing from a report submitted by Mr. Clinton A. Smith, Water Master, District No. 15, 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 proposed change in point of diversion of water from Little Applegate River, to-wit:

From a point located approximately 358 feet South and 714 feet East from the NW corner of Section 26, and being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 26, Township 39 South, Range 2 West, W.M.,

To a point upstream to be located approximately 184 feet South and 1003 feet East from the NW corner of Section 26, and being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 26, Township 39 South, Range 2 West, W.M.,

for the irrigation of 4 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, Township 39 South, Range 2 West, W.M., with a date of priority of 1908, be and the same hereby is approved.

Dated at Salem, Oregon, this 1st day of November, 1948.


CHAS. E. STRICKLIN
State Engineer

*Noted on Dec 10
Vol. 4, p 30, col. 3
Cert. 16402*