BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION OF PAUL NEWMAN AND GRACE NEWMAN FOR THE APPROVAL OF A CHANGE IN POINT OF DIVERSION OF WATER FROM COW CREEK.

O R D E R

APPROVING APPLICATION

On November 14, 1946, Paul Newman and Grace Newman of Azalea, Oregon, filed an application for the approval of a change in point of diversion of water from Cow Creek, pursuant to the provisions of Section 116-606, O. C. L. A.

By decree of the circuit court for Douglas County, dated August 14, 1930, in the matter of the determination of the relative rights to the use of the waters of Cow Creek and its tributaries, a water right is recognized in the name of J. A. Warren for domestic and stock purposes and the irrigation of 30 acres in the SE¼ SW¼, Section 12, 20 acres in the NE¼ NW¼, 20 acres in the NW¼ NW¼, Section 13, Township 32 South, Range 5 West, W. M., with a date of priority of September 30, 1907. Water for the irrigation of the above described land is conveyed through the Johns Irrigation Ditch, the point of diversion of said ditch being located approximately 1980 feet North and 960 feet East from the Southwest corner of Section 4, Township 32 South, Range 4 West, W. M., and being within the NW¼ SW¼ said Section 4.

Paul and Grace Newman owners of the above described land to which said water right is appurtenant propose to irrigate said land by means of a portable pumping plant to be located on their property along Cow Creek between the East line of the SE¼ SW¼, Section 12 and the West line of the NE¼ NW¼, Section 13, Township 32 South, Range 5 W., W. M.

Notice of filing the application was prepared by the State Engineer setting forth a time and place certain for hearing objections to the proposed change in point of diversion, if any there were, namely: at the County Court House at Roseburg, Oregon on the 22nd day of April, 1947, at 10:00 o'clock A.M.,

and said notice was published for a period of at least three weeks and not less than one publication each week in the Roseburg News - Review, newspaper of general circulation in Douglas County, being the issues of February 28, March 7 and 14, 1947, and the date fixed for such hearing being not less than thirty-days after the last publication of said notice.

No objections having been filed and it appearing that the proposed change in point of diversion of water from Cow Creek may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it is hereby ORDERED that the proposed change in point of diversion of water from Cow Creek to-wit:

> From a point located approximately 1980 feet North and 960 feet East from the Southwest corner of Section 4, Township 32 South, Range 4 West, W. M.
>
> To any point on the property of Paul and Grace Newman along Cow Creek between the East line of the SE¼ SW¼ Section 12, and the West line of the NE¼ NW¼ Section 13, Township 32 South, Range 5 West, W. M.

for the irrigation of 30 acres in the SE¼ SW¼ Section 12, 20 acres in the NE¼ NW¼ and 20 acres in the NW¼ NW¼ Section 13, Township 32 South, Range 5 West, W. M., with a date of priority of September 30, 1907, be and the same hereby is approved.

Dated at Salem, Oregon, this 6th day of May, 1947.

Chas. E. Stricklin

CHAS. E. STRICKLIN
State Engineer

Noted on Decree Vol. 10, p. 362
" " Cert. 9684
Trsf. # N-6