

NEW ROAD LAW HEREAFTER IN FORCE

The attention of the public is hereby directed to the following sections of the road laws of Oregon:

Running or Seeping or Drainage of Water from Irrigation or Ditches Upon County Roads.

Section 248. Road Supervisors. Duties of Relating to Seepage Waters.

It shall be the duty of all road supervisors in each road district in any county in this state, in addition to the duties heretofore prescribed by law, to ascertain from time to time, and know whether or not there is any water running or flowing in or upon any county road or roads within his

district, as overflow or seepage from any irrigation or other ditch owned by any person, company, or corporation, and he shall, as he ascertains that there is any such water seeping or flowing, or running upon any such county road or roads, notify the owner or occupant of such ditch or of the water therein contained, in writing, by personally serving on such owner, occupant or user of such irrigation ditch, or other ditch, a written or printed notice that the water in the irrigation or other ditch so owned by said person, company or corporation, is seeping or overflowing, or flowing on the county road or county roads of his district, at a point or points on said road or roads more particularly described in said notice with reference to said irrigation or other ditch or any natural or artificial object or objects, which said shall further notify such owner, oc-

cupant or user of said irrigation or other ditch of the water flowing therein, that such seepage, overflowing or flowing of said water must be stopped within six hours of the service of said notice, as aforesaid, and notifying said owner, occupant or user of such irrigation or other ditch, to within six hours from the hour of the service of such notice, have this said water diverted from said county road or roads, and to keep said water diverted from said county road or roads, and to keep said water from again seeping, flowing or overflowing upon said county road or roads. (L. 1907, C. 165, Sec. 1.)

Sec. 249. Supervisor to Divert Water from County Road, Where Owner Fails to Do So.

If such owner, occupant, or user of said water shall fail or refuse to remove or divert said water from said county road or roads. Within six

hours after being notified by the road supervisor of the existence of such water in or upon said road or roads, then it shall be the duty of such road supervisor, and he shall have authority to go upon that part of the land upon which said irrigation ditch or other ditch is situated, through which said water has been conducted, or is being conducted, calling to his assistance such help as he may deem necessary to cause said water to be diverted from and removed from said county road or roads, in the manner which to him seems most effective and that will most speedily remove and withdraw said water from said county road or roads, and that will prevent the said water or any water in said irrigation or other ditch from returning upon or overflowing said county road or roads. Upon the completion of said work, the road supervisor will file with the county clerk

of the county in which such road or roads are situated, an itemized statement of the time occupied by him and his assistants, and the reasonable compensation for diverting and removing said water from said county road or roads, together with the name of the owner and occupant of the land on which said irrigation or other ditch which brought said water to said county road or roads, is situated, together with the date and hour when said notice was served on such owner or occupant of said land, verified by his oath, and when said statement is filed, the county clerk shall cause the same to be entered upon the lien docket prepared for that purpose, and the amount of such charges and expenses, when so docketed, shall constitute a first lien, prior and superior to all other liens or charges on said land or premises, excepting taxes.

If such charges and expenses are not paid, and said lien discharged by the owner or occupant of said lands, within sixty days after the same is docketed, it shall be the duty of the district attorney in which said county is situated, to bring suit in the name of the said county for the foreclosure of said lien, and the lands affected thereby shall be sold under execution for the payment and satisfaction of such charges and expenses of said lien, and all charges touching the same. (L. 1907, C. 165, Sec. 2.)

Sec. 250. County Court to Pay Supervisor.

If within ten days after the statement has been filed and the lien docketed, as provided for in section 2 hereof, no objections having been filed thereto, the county court shall pay the supervisor out of the county funds the amount of such charges and expenses, and the same shall be

thereafter recovered to the use of the county as in the foregoing section provided. (L. 1907, C. 165, Sec.3)

The above section will be enforced hereafter. W. W. HARMON, County Road Engineer.

Haskins for Health

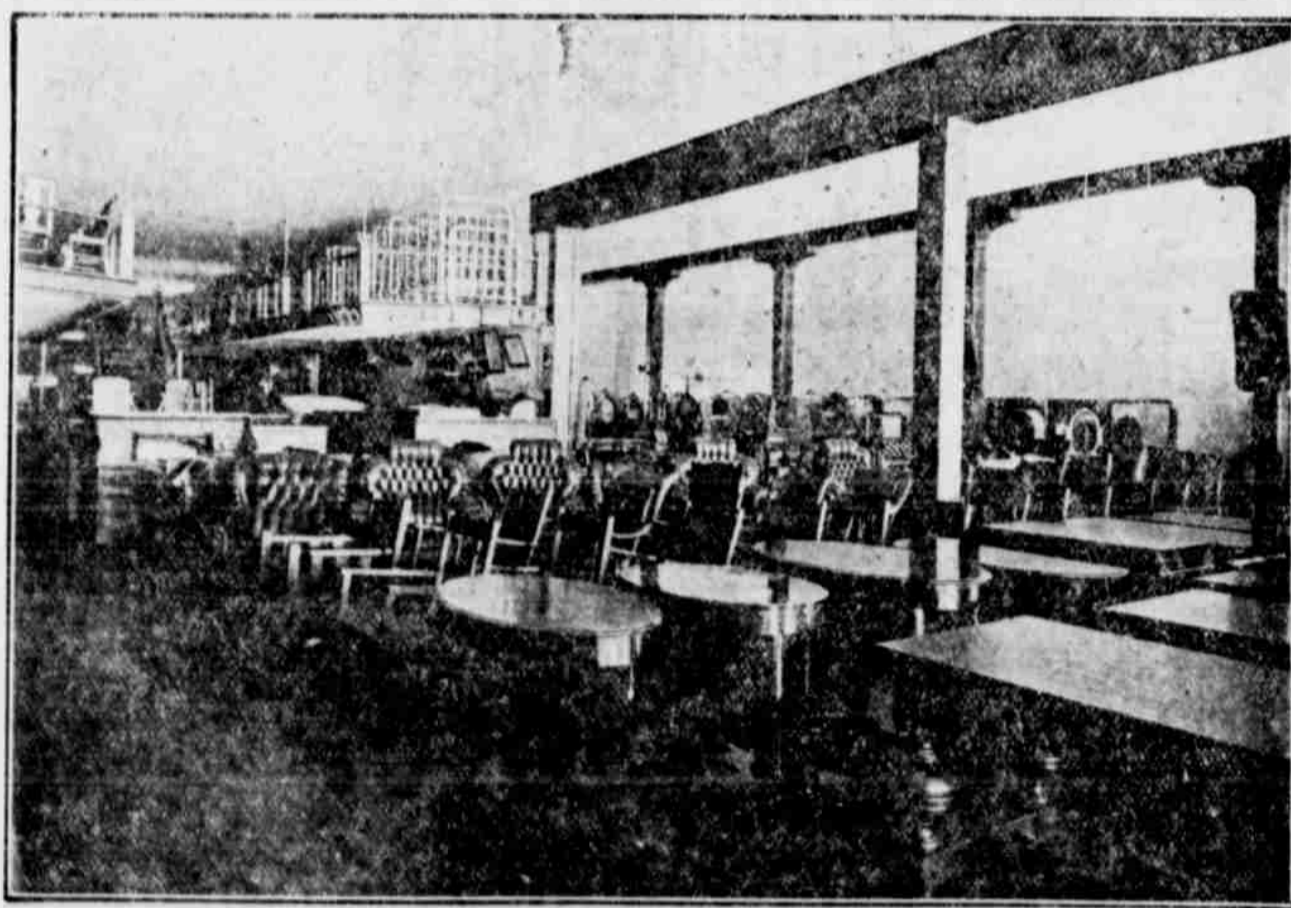
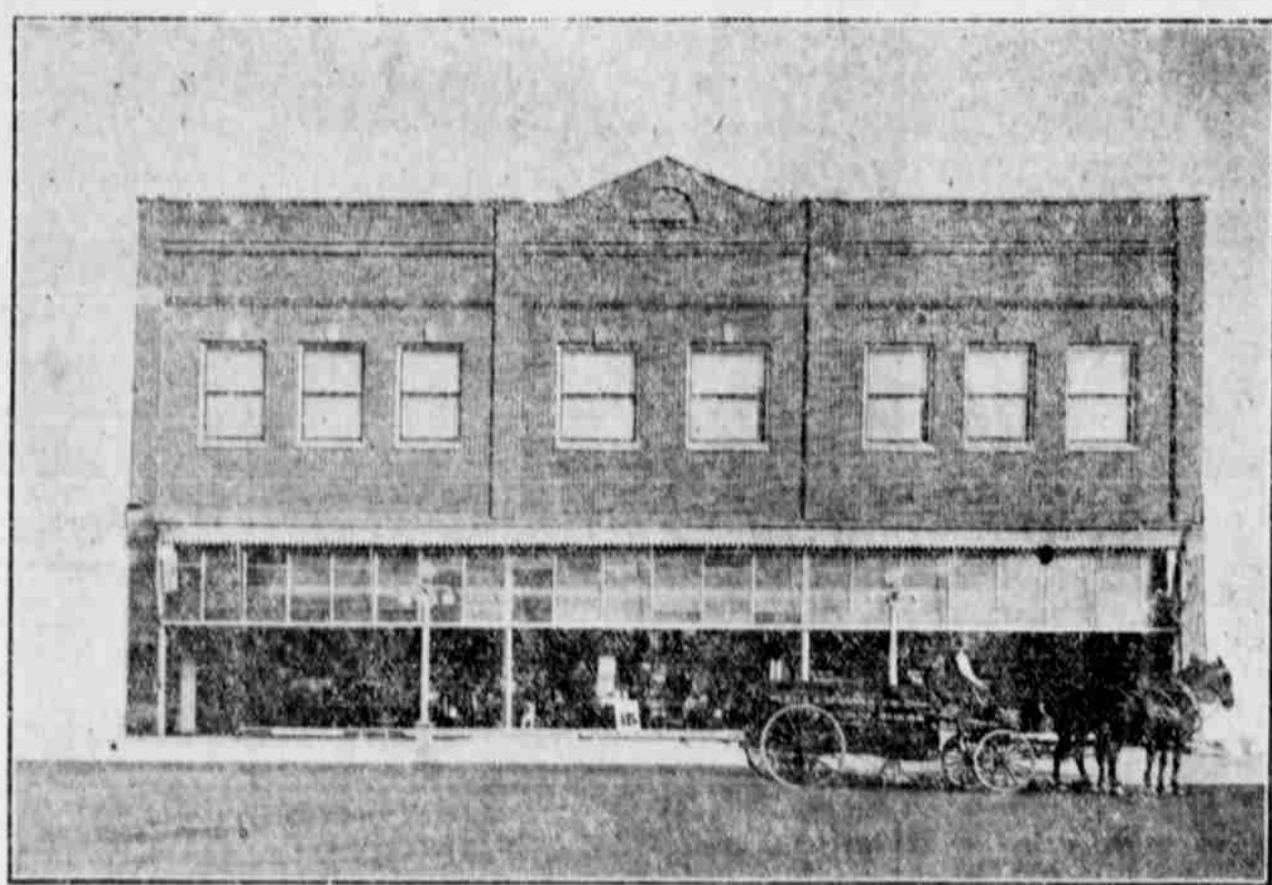
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