

BEFORE THE STATE ENGINEER OF OREGON

Polk County

IN THE MATTER OF THE APPLICATION
OF HUGH AND MARY VEACH FOR THE
APPROVAL OF A CHANGE IN PLACE OF
USE OF WATER FROM MILL CREEK

ORDER APPROVING
TRANSFER NO. 2880

On August 13, 1973, Hugh and Mary Veach filed an application in the office of the State Engineer for the approval of a change in place of use of water from Mill Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Hugh Veach and recorded at page 21265, Volume 15, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.32 cubic foot per second of water from Mill Creek for the irrigation of, among other lands, 0.3 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, Township 6 South, Range 6 West, W.M., with a date of priority of August 11, 1947. These lands are irrigated from a point of diversion located 600 feet North and 1550 feet West from the Southeast corner of Eads D.L.C. #39, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, Township 6 South, Range 6 West, W.M.

The applicants herein, owners of the land above described, propose to transfer the water right therefrom, without loss of priority to 0.3 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, Township 6 South, Range 6 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

Mr. Clayton J. Gardner, Watermaster of District No. 1, has filed a statement to the effect that the proposed change in place of use of water may be made without injury to existing rights.

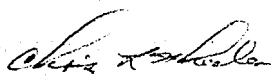
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in place of use of water is approved and the water right hereinbefore described as appurtenant to 0.3 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, Township 6 South, Range 6 West, W.M., with a date of priority of August 11, 1947, be severed therefrom and simultaneously and without loss of priority transferred to 0.3 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, Township 6 South, Range 6 West, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1974.

It is FURTHER ORDERED that certificate of water right heretofore issued to Hugh Veach and recorded at page 21265, Volume 15, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding, and upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use, a certificate of water right shall be issued to Hugh and Mary Veach confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 2nd day of January, 1974.


CHRIS L. WHEELER
State Engineer