

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION )  
OF CLAUDE PILCHER FOR THE APPROVAL )  
OF A CHANGE IN PLACE OF USE OF )  
WATER FROM NORTH SANTIAM RIVER. )  
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O R D E R

APPROVING APPLICATION

On May 9, 1957, Claude Pilcher of Route 1, Box 100 A, Jefferson, Oregon, filed an application in the office of the State Engineer for the approval of a change in place of use of water from North Santiam River pursuant to the provisions of ORS 540.510 to 540.530.

The findings and order of determination of the State Engineer in the matter of the determination of the relative rights to the use of the water of North Santiam River and its tributaries, as confirmed by decree of the Circuit Court for Marion County, Oregon, entered January 30, 1945, established an inchoate water right in the name of Sidney Irrigation Cooperative for the irrigation of, among other lands, 20 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 20 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 13, Township 9 South, Range 4 West, W. M., from the North Santiam River with a date of priority of 1870, said water right being tabulated under the ownership of Charles Meier.

The applicant herein, owner of 32 acres of the lands above described, to-wit: 20 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 12 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , proposes to transfer the water right therefrom, without loss of priority, to 32 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 28, Township 9 South, Range 3 West, W. M.

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

The Sidney Irrigation Cooperative has given its written approval to this proposed change in place of use of water.

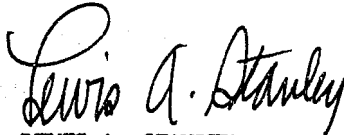
No objections having been filed and it appearing that the proposed change in place of use of water from North Santiam River may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water from North Santiam River be and the same is approved, and that the water right hereinbefore described as appurtenant to 20 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 12 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 13, Township 9 South, Range 4 West, W. M., with a date of priority of 1870, be severed therefrom and simultaneously and without loss of priority transferred to 32 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 28, Township 9 South, Range 3 West, W. M.

It is FURTHER ORDERED that the said water so transferred shall be applied to beneficial use on or before October 1, 1957.

Dated at Salem, Oregon this 20th day of June 1957.

Noted on Decree  
Vol. 14, p 169



LEWIS A. STANLEY  
State Engineer