

BEFORE THE STATE ENGINEER OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION)
OF JULIUS WINTERFIELD FOR THE)
APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER FROM TWO UNNAMED)
STREAMS, TRIBUTARY OF WEST FORK)
OF DAIRY CREEK.)

O R D E R
APPROVING APPLICATION

On May 4, 1951, Julius Winterfield of Banks, Oregon, filed an application for the approval of a change in place of use of water from two Unnamed streams, tributary of West Fork Dairy Creek, pursuant to the provisions of Section 116-606, O. C. L. A.

Certificate of water right issued to Julius Winterfield and recorded at page 15090, Volume 12, State Record of Water Right Certificates, confirms a right under Permit No. 13797 for the irrigation of, among other lands, 14.3 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 34, Township 2 North, Range 4 West, W. M., from two Unnamed streams, tributary of West Fork of Dairy Creek, with a date of priority of June 3, 1939.

The applicant herein, owner of the above described land, proposes to transfer the water right therefrom, without loss of priority, to 10.3 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 4 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, Township 2 North, Range 4 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 notice is not required in applications for only a 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 may be made without injury to existing rights, the application should be approved.

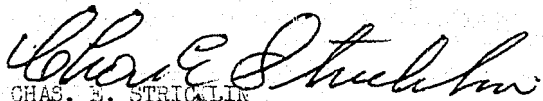
NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water from two Unnamed streams, tributary of West Fork Dairy Creek, be and the same hereby is approved, and that the water right hereinbefore described as appurtenant to 14.3 acres in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 34, Township 2 North, Range 4 West, W. M., be severed therefrom and simultaneously and without loss of priority transferred to 10.3 acres in the SW $\frac{1}{4}$, NE $\frac{1}{4}$, and 4 acres in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 33, Township 2 North, Range 4 West, W. M.

It is FURTHER ORDERED that complete application of water to beneficial use on the lands to which the water is transferred hereby shall be completed on or before October 1, 1952, or such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of the complete application of water to beneficial use, as provided herein, a certificate shall be issued to Julius Winterfield to supersede the certificate heretofore issued to said Julius Winterfield and recorded at page 15090, Volume 12, State Record of Water Right Certificates.

Dated at Salem, Oregon this 16th day of May 1951.

*Noted on Cert. 15090
Cert. 20227 confirms
this change.*


CHAS. E. STRICKLIN
State Engineer