

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION )  
OF JEROME L. GEHRING FOR THE )  
APPROVAL OF A CHANGE IN PLACE OF )  
USE OF WATER FROM DRIFT CREEK )  
-----

ORDER APPROVING  
TRANSFER NO. G-76

On March 25, 1968, Jerome L. Gehring filed an application in the office of the State Engineer for the approval of a change in place of use of water from Drift Creek pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Jerome Gehring and recorded at page 22171, Volume 16, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.009 cubic foot per second of the water from Drift Creek for the irrigation of, among other lands, 0.7 acre in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 9, Township 7 South, Range 1 West, W.M., with a date of priority of March 28, 1949.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 0.7 acre in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 16, Township 7 South, Range 1 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 only.

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 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 is approved and the water right hereinbefore described as appurtenant to 0.7 acre in SW¼ SE¼, Section 9, Township 7 South, Range 1 West, W.M., with a date of priority of March 28, 1949, be severed therefrom and simultaneously and without loss of priority transferred to 0.7 acre in NW¼ NE¼, Section 16, Township 7 South, Range 1 West, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1969.

It is FURTHER ORDERED that certificate of water right heretofore issued to Jerome Gehring and recorded at page 22171, Volume 16, 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 Jerome L. Gehring confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 10<sup>th</sup> day of June, 1968.

  
CHRIS L. WHEELER  
State Engineer