

BEFORE THE STATE ENGINEER OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION)
OF LESTER H. REED FOR THE)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM EILER CREEK)

ORDER APPROVING
TRANSFER NO. R-94

On April 3, 1967, Lester H. Reed filed an application in the office of the State Engineer for the approval of a change in place of use of water from Eiler Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Archie B. Curwick and recorded at page 20027, Volume 14, State Record of Water Right Certificates, confirms a right to the use of the waters of Eiler Creek for the irrigation of, among other lands, 1.4 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, and 2.6 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, and 2.0 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 1 North, Range 4 West, J.M., with a date of priority of March 19, 1947.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom without loss of priority to 4.0 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, and 2.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 1 North, Range 4 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 report to the effect that the proposed change in place of use of water may be made without injury to existing rights.

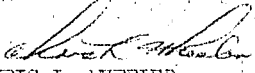
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

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 1.4 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, and 2.6 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, and 2.0 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 1 North, Range 4 West, W.M., with a date of priority of March 19, 1947, be severed therefrom and simultaneously and without loss of priority transferred to 4.0 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, and 2.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 1 North, Range 4 West, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1968.

It is FURTHER ORDERED that certificate of water right heretofore issued to Archie B. Curwick and recorded at page 20027, Volume 14, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in place of use, a certificate of water right shall be issued to Lester H. Reed confirming the extent to which the water has been applied beneficially and covering the lands not involved in this proceeding.

Dated at Salem, Oregon, this 11th day of July, 1967.


CHRIS L. WHEELER
State Engineer