

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION)
OF JULIUS GEHRING, JR. FOR THE)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM DRIFT CREEK)

ORDER APPROVING
TRANSFER NO. 2787

On April 11, 1973, Julius Gehring, Jr., 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.

The certificate of water right issued to Jerome Gehring and recorded at page 35284, Volume 27, State Record of Water Right Certificates, confirmed a right to the use of waters of Drift Creek for the irrigation of, among other lands, 4.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, Township 7 South, Range 1 West, W.M. The change in place of use to the irrigation of 4.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 7 South, Range 1 West was approved by an order of the State Engineer entered April 23, 1969 and proof of completion of the change was submitted.

The applicant herein, owner of the 4.5 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 7 South, Range 1 West, proposes to transfer the water right therefrom, without loss of priority to 4.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, 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.

Mr. Mike Ricks, Watermaster of District No. 16, 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.

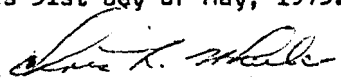
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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 4.5 acres in NE¼ NW¼, Section 16, 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 4.5 acres in NW¼ NE¼ NW¼, 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, 1973.

It is FURTHER ORDERED that no certificate be issued confirming the change as provided by the order entered April 23, 1969 and upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use as described herein a certificate of water right shall be issued to Julius Gehring, Jr., confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 31st day of May, 1973.


CHRIS L. WHEELER
State Engineer