

BEFORE THE STATE ENGINEER OF OREGON

Yamhill County

IN THE MATTER OF THE APPLICATION)
OF DARREL LAURENCE PARNELL FOR)
THE APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER FROM PANTHER CREEK)

O R D E R
APPROVING APPLICATION

On October 30, 1962, Darrel Laurence Parnell of Carlton, Oregon, filed an application in the office of the State Engineer for the approval of a change in place of use of water from Panther Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to H. A. Wells and recorded at page 22500, Volume 16, State Record of Water Right Certificates, confirms a right under Permit No. 19915 to the use of the waters of Panther Creek for the irrigation of, among other lands, 0.2 acre in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3.1 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 4.8 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Adams DLC No. 43, in Section 25, Township 3 South, Range 5 West, W. M., with a date of priority of December 22, 1950.

The applicant herein, owner of the above described lands, proposes to transfer the water right therefrom, without loss of priority, to 0.6 acre in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 7.5 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Adams D.L.C. No. 43, in Section 25, Township 3 South, Range 5 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.

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 be and the same is approved and that the water right hereinbefore described as appurtenant to 0.2 acre in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3.1 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 4.8 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Adams DLC No. 43, in Section 25, Township 3 South, Range 5 West, W. M., with a date of priority of December 22, 1950, be severed therefrom and simultaneously and without loss of priority transferred to 0.6 acre in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 7.5 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Adams DLC No. 43, in Section 25, Township 3 South, Range 5 West, W. M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1964, or within such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that certificate of water right heretofore issued to H. A. Wells and recorded at page 22500, Volume 16, State Record of Water Right Certificates, be and the same hereby is canceled and that 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 Darrel Laurence Parnell to the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 30th day of November, 1962.

A. Statious made in accordance

*App. # 24119
Cert. # 22500*


CHRIS L. WHEELER
State Engineer