

BEFORE THE STATE ENGINEER OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION)
OF ROY D. COOK FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM UNNAMED CREEK)
- - - - -

ORDER APPROVING
TRANSFER NO. C-162

On July 1, 1965, Roy D. Cook of Cornelius, Oregon, filed an application in the office of the State Engineer for the approval of a change in place of use of water from Unnamed Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to W. L. Nelson and recorded at page 28496, Volume 21, State Record of Water Right Certificates, confirms a right to the use of the waters of Unnamed Creek for the irrigation of 2.8 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 15.2 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 1 South, Range 3 West, W.M., with a date of priority of January 11, 1955.

The applicant herein, owner of the lands above described, proposes to transfer the right therefrom without loss of priority to 6 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 6 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, 3 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 3 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 1 South, Range 3 West, W.M., with a date of priority of January 11, 1955.

Notice of 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 the change in place of use of water only.

Mr. Myron V. Bisk, 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.

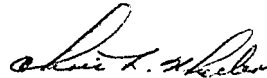
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and that the water right hereinbefore described as appurtenant to 2.8 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 15.2 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 1 South, Range 3 West, W.M., with a date of priority of January 11, 1955, be severed therefrom and simultaneously and without loss of priority transferred to 6 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 6 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, 3 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, and 3 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 1 South, Range 3 West, W.M., with a date of priority of January 11, 1955.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1966, 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 W. L. Nelson and recorded at page 28496, Volume 21, State Record of Water Right Certificates, is canceled 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 Roy D. Cook confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 20th day of September, 1965.



CHRIS L. WHEELER
State Engineer