

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION)
OF NORMA M. VON FLUE FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF WATER)
FROM DRIFT CREEK)

ORDER APPROVING
TRANSFER NO. 2811

On May 10, 1973, Norma M. Von Flue 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 recorded at page 11307, Volume 10, State Record of Water Right Certificates, confirmed a right to the appropriation of 0.2 cubic foot per second of the waters of Drift Creek for the irrigation of 16.0 acres in the S½ NW¼ NW¼, Section 9, Township 7 South, Range 1 West, W.M., with a date of priority of October 19, 1931. By an order entered May 16, 1969, the rights transferred to 16.0 acres in the W½ NE¼ NW¼, Section 9, Township 7 South, Range 1 West, W.M., was approved. Satisfactory proof has been submitted to the State Engineer that water has been applied beneficially to these lands.

The applicant herein, owner of 12.4 acres of the land above described, proposes to transfer the water right therefrom, without loss of priority, to 12.4 acres in the NE¼ NW¼, Section 9, 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.

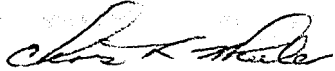
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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 12.4 acres in West ½ NE¼ NW¼, Section 9, Township 7 South, Range 1 West, W.M., with a date of priority of October 19, 1931, be severed therefrom and simultaneously and without loss of priority transferred to 12.4 acres in NE¼ NW¼, Section 9, 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, 1974.

It is FURTHER ORDERED that no new certificate be issued as provided by the order entered May 16, 1969 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 Norma M. Von Flue confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 10th day of August, 1973.


CHRIS L. WHEELER
State Engineer