

BEFORE THE STATE ENGINEER OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION)
OF ANDREW ZAGELOW FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM AN UNNAMED STREAM)

ORDER APPROVING
TRANSFER NO. Z-7

On June 1, 1967, Andrew Zagelow filed an application in the office of the State Engineer for the approval of a change in place of use of water pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to W. L. Reddig and re-recorded at page 11829, Volume 11, State Record of Water Right Certificates, confirms a right for the use of 0.03 cubic foot per second of the waters of an unnamed spring creek for the irrigation of 2.0 acres and 0.05 cubic foot per second of the waters of a small tributary of an unnamed spring creek for domestic use and operation of a hydraulic ram all in the SE¼ SW¼, Section 26, Township 1 South, Range 3 West, W.M., with a date of priority of January 5, 1932.

The right for the use of waters of the small tributary of an unnamed spring creek for domestic use and operation of a hydraulic ram was canceled by an order of the State Engineer entered June 4, 1968.

The applicant herein, owner of the lands above described, proposes to transfer the water right from the irrigation of 2.0 acres in SE¼ SE¼ SW¼, without loss of priority, to 2.0 acres in N½ SE¼ SW¼, Section 26, Township 1 South, Range 3 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 statement to the effect that the proposed change in place of use of water may be made without injury to existing rights.

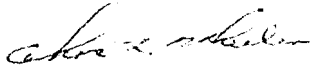
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

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 2.0 acres in SE¼ SE¼ SW¼, Section 26, Township 1 South, Range 3 West, W.M., with a date of priority of January 5, 1932, be severed therefrom and simultaneously and without loss of priority transferred to 2.0 acres in N½ SE¼ SW¼, Section 26, Township 1 South, Range 3 West, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1969.

It is FURTHER ORDERED that certificate of water right issued to W. L. Reddig and recorded at page 11829, Volume 11 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 Andrew Zagelow confirming the change in place of use.

Dated at Salem, Oregon, this 17th day of December, 1968.


CHRIS L. WHEELER
State Engineer