

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION )  
OF OREGON STATE BOARD OF CONTROL )  
FOR THE APPROVAL OF A CHANGE IN )  
PLACE OF USE OF WATER FROM NORTH )  
SANTIAM RIVER. )  
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O R D E R  
APPROVING APPLICATION

On January 2, 1959, the Oregon State Board of Control filed an application in the office of the State Engineer for the approval of a change in place of use of water from North Santiam River pursuant to the provisions of ORS 540.510 to 540.530.

The following described lands owned by the State of Oregon have an inchoate right to the use of the waters of North Santiam River through the irrigation system of the Willamette Valley Water Company, with a date of priority of May 14, 1909, to-wit:

- 5.0 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$
- 6.7 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$
- Section 25
- 7.3 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$
- 4.0 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$
- 4.0 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$
- 5.1 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$
- Section 36
- T. 7 S., R. 3 W., W. M.
  
- 16.0 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$
- Section 7
- 20.0 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$
- Section 17
- T. 8 S., R. 2 W., W. M.
  
- 38.6 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$
- 13.0 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$
- 9.6 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$
- Section 12
- T. 8 S., R. 3 W., W. M.

The Oregon State Board of Control, acting on behalf of the State of Oregon, proposes to transfer the water rights therefrom, without loss of priority, to the following described lands, to-wit:

12.7 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$   
1.0 acre in the SE $\frac{1}{4}$  NW $\frac{1}{4}$   
5.0 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$   
20.0 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$   
18.0 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$   
12.8 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 25,  
T. 7 S., R. 3 W., W. M.

30.8 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$   
29.0 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$   
Section 18,  
T. 8 S., R. 2 W., W. M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in place of use of water only.

By agreement between the State of Oregon and the Willamette Valley Water Company, the State of Oregon may change the place of use of the water without obtaining the permission of the Company.

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 from North Santiam River be and the same is approved and that the water right hereinbefore described as appurtenant to the following described lands with a date of priority of May 14, 1909, to-wit:

5.0 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$   
6.7 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 25,  
7.3 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$   
4.0 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$   
4.0 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$   
5.1 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 36,  
T. 7 S., R. 3 W., W. M.

16.0 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 7,  
20.0 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 17,  
T. 8 S., R. 2 W., W. M.

38.6 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$   
13.0 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$   
9.6 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$   
Section 12,  
T. 8 S., R. 3 W., W. M.,

be severed therefrom and simultaneously and without loss of priority transferred to the following lands, to-wit:

12.7 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$   
1.0 acre in the SE $\frac{1}{4}$  NW $\frac{1}{4}$   
5.0 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$   
20.0 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$   
18.0 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$   
12.8 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 25,  
T. 7 S., R. 3 W., W. M.,

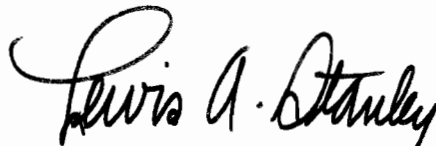
30.3 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$   
29.0 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$   
Section 18,  
T. 8 S., R. 2 W., W. M.

It is FURTHER ORDERED that the said water so transferred shall be applied to beneficial use on the lands to which it is transferred on or before October 1, 1960 or within such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use on the lands to which it is transferred hereby, certificate of water right shall be issued to the State of Oregon to the extent to which the water has been applied beneficially.

Dated at Salem, Oregon this 27th day of January 1959.

*W. A. Stanley*  
*Jan 27, 1959*

  
LEWIS A. STANLEY  
State Engineer