

BEFORE THE STATE ENGINEER OF OREGON

Coos County

IN THE MATTER OF THE APPLICATION)
OF LILLIAN W. JOUBERT FOR THE)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM AN UNNAMED SPRING)

ORDER APPROVING
TRANSFER NO. 2837

On June 19, 1973, Lillian W. Joubert filed an application in the office of the State Engineer for the approval of a change in place of use of water from an unnamed spring, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Lillian W. Joubert and recorded at page 32168, Volume 24, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.003 cubic foot per second of water from an unnamed spring for domestic use of one family in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 24 South, Range 13 West, W.M., with a date of priority of August 6, 1962. The point of diversion is located 1016.2 feet North and 457.3 feet West from the South $\frac{1}{4}$ corner of Section 35, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 24 South, Range 13 West, W.M.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority to the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, Township 24 South, Range 13 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. M. John Youngquist, Watermaster of District No. 15, 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.

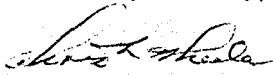
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

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 the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, Township 24 South, Range 13 West, W.M., with a date of priority of August 6, 1962, be severed therefrom and simultaneously and without loss of priority transferred to the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, Township 24 South, Range 13 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 upon receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use on the lands to which the water is transferred hereby, a certificate of water right will be issued to Lillian W. Joubert or successors in interest, confirming this.

Dated at Salem, Oregon, this 18th day of July, 1973.


CHRIS L. WHEELER
State Engineer