

BEFORE THE STATE ENGINEER OF OREGON

Coos County

IN THE MATTER OF THE APPLICATION)
OF GUNDER GUNDERSON FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
AND PLACE OF USE OF WATER FROM AN)
UNNAMED STREAM, TRIBUTARY OF COOS)
BAY.)
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ORDER
APPROVING APPLICATION

On March 25, 1939, Gunder Gunderson filed an application for approval of a change in point of diversion and place of use of water from an unnamed stream, tributary of Coos Bay.

Certificate of water right, recorded in State Record of Water Right Certificates, Volume 10, Page 11372, was issued to Gunder Gunderson, confirming an appropriation under Permit No. 10481 for the use of 0.1 cubic foot per second of the waters of an unnamed stream, tributary of Coos Bay, for domestic purposes in Blocks 18 and 25 of Glasgow Townsite, said blocks being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, Township 25 South, Range 13 West, W. M., with a date of priority of January 26, 1932, the point of diversion from the unnamed stream being located 760 feet south and 1,712 feet east from the north quarter corner of Section 2, Township 25 South, Range 13 West, W. M.

The applicant herein proposes to transfer the water rights appurtenant to the above-described tract to the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, Township 25 South, Range 13 West, W. M., and to change the present point of diversion to a point located 765 feet south and 1,730 feet east from the north quarter corner of Section 2, Township 25 South, Range 13 West, W. M.

Notice by publication as provided by Section 47-712, Oregon Code 1930, is not required in connection with this application for the reason that the distance between the present point of diversion and the proposed point of diversion is less than one-fourth mile and there are no intervening diversions.

It appears that such change in point of diversion and place of use of water can be made without injury to existing rights.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water be and the same hereby is approved and that the water right hereinbefore described as appurtenant to Blocks 18 and 25 of Glasgow Townsite, being within Section 2, Township 25 South, Range 13 West, W. M., be severed therefrom and simultaneously and without loss of priority transferred to the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, Township 25 South, Range 13 West, W. M.

It is FURTHER ORDERED that the proposed change in point of diversion, ~~to~~-wit: From a point located 760 feet south and 1,712 feet east from the north quarter corner of Section 2, Township 25 South, Range 13 West, W. M., to a point located 765 feet south and 1,730 feet east from the north quarter corner of Section 2, Township 25 South, Range 13 West, W. M., be and the same hereby is approved.

It is FURTHER ORDERED that complete application of water to beneficial use on such lands for domestic purposes be made on or before October 1, 1941, or 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 upon the lands to which the water is transferred hereby a certificate of water right shall be issued to Gunder Gunderson or his successors-in-interest and that the certificate of water right heretofore issued to Gunder Gunderson and recorded in State Record of Water Right Certificates, Volume 10, Page 11372, hereby is cancelled.

Dated at Salem, Oregon, this 31st day of March, 1939.

Noted on
Cert. 11,372


CHAS. E. STRICKLIN

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State Engineer