

BEFORE THE STATE ENGINEER OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION)
OF REMI COUSSENS FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM MCKAY CREEK)

ORDER APPROVING
TRANSFER NO. C-195

On August 21, 1968, Remi Coussens filed an application in the office of the State Engineer for the approval of a change in place of use of water from McKay Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Remi Coussens and recorded at page 34293, Volume 26, State Record of Water Right Certificates, confirms a right to the use of 0.32 cubic foot per second of the waters of McKay Creek for the irrigation of 0.2 acre in SW¹/₄ SW¹/₄, Section 7, Township 1 North, Range 2 West, 3.4 acres in NE¹/₄ SE¹/₄, 3.8 acres in NW¹/₄ SE¹/₄, 3.9 acres in SW¹/₄ SE¹/₄, 9.3 acres in SE¹/₄ SE¹/₄, Section 12, and 5.2 acres in NE¹/₄ NE¹/₄, Section 13, Township 1 North, Range 3 West, W.M., with a date of priority of April 26, 1963.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 14.5 acres in SW¹/₄ SW¹/₄, 2.7 acres in SE¹/₄ SW¹/₄, Section 7, Township 1 North, Range 2 West, 2.1 acres in SE¹/₄ SE¹/₄, Section 12, and 6.5 acres in NE¹/₄ NE¹/₄, Section 13, Township 1 North, 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 0.2 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 1 North, Range 2 West, 3.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 3.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 3.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 9.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, and 5.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1 North, Range 3 West, W.M., with a date of priority of April 26, 1963, be severed therefrom and simultaneously and without loss of priority transferred to 14.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 2.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 1 North, Range 2 West, 2.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, and 6.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, Township 1 North, Range 3 West, W.M.

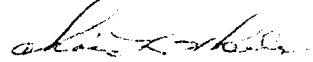
It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1969.

That part of the right evidenced by certificate recorded at page 34293, Volume 26, State Record of Water Right Certificates for the use of not to exceed 0.09 cubic foot per second for the irrigation of 7.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 1 North, Range 3 West, which is the balance of the right not involved in this proceeding, was canceled by order of the State Engineer entered August 26, 1968.

It is FURTHER ORDERED that certificate of water right heretofore issued to Remi Coussens and recorded at page 34293, Volume 26, State Record of Water Right Certificates, 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 Remi Coussens confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 3rd day of October, 1968.



CHRIS L. WHEELER
State Engineer