

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF RICHARD L. BROWN FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF WATER)
FROM APPELEGATE RIVER)

ORDER APPROVING
TRANSFER NO. 2610

On March 2, 1972, Richard L. Brown filed an application in the office of the State Engineer for the approval of a change in place of use of water from Applegate River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to James F. Corsun and recorded at page 36461, Volume 28, State Record of Water Right Certificates, confirms a right to the use of not to exceed 1.53 cubic feet per second of water from Applegate River for the irrigation of, among other lands, 1.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 39 South, Range 3 West, W.M., with a date of priority of 1876.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority to 1.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 39 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.

Mr. David C. Hendrix, Watermaster of District No. 13, 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.

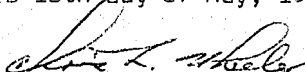
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

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 1.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 39 South, Range 3 West, W.M., with date of priority of 1876, be severed therefrom and simultaneously and without loss of priority transferred to 1.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 39 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, 1973.

It is FURTHER ORDERED that certificate of water right heretofore issued to James F. Corson and recorded at page 36461, Volume 28, State Record of Water Right Certificates, is canceled and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding, 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 Richard L. Brown confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 18th day of May, 1972.



CHRIS L. WHEELER
State Engineer