

Coos County

IN THE MATTER OF THE APPLICATION)
 OF W. J. PULLEN FOR THE APPROVAL)
 OF A CHANGE IN PLACE OF USE OF)
 WATER FROM A SPRING)
 -----)

ORDER APPROVING
TRANSFER NO. P-99

On October 7, 1968, W. J. Pullen filed an application in the office of the State Engineer for the approval of a change in place of use of water from a spring, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to W. J. and Rowena Pullen and recorded at page 21715, Volume 16, State Record of Water Right Certificates, confirms a right to the use of 0.04 cubic foot per second of the waters of a spring for the irrigation of 3.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 28 South, Range 14 West, W.M., with a date of priority of August 30, 1939.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 1.57 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20 and 1.63 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 28 South, Range 14 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. 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.

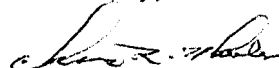
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

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 3.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 28 South, Range 14 West, W.M., with a date of priority of August 30, 1939, be severed therefrom and simultaneously and without loss of priority, transferred to 1.57 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20 and 1.63 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 28 South, Range 14 West, W.M.

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

It is FURTHER ORDERED that certificate of water right heretofore issued to W. J. and Rowena Pullen and recorded at page 21715, Volume 16, 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 W. J. Pullen confirming the extent to which the water has been applied beneficially, and covering the balance of the right which is for the appropriation of 0.003 cubic foot per second for domestic use and not involved in this proceeding.

Dated at Salem, Oregon, this 22nd day of January, 1969.



CHRIS L. WHEELER
State Engineer