

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

COOS COUNTY

IN THE MATTER OF THE APPLICATION OF)
CARL E. AUSTIN FOR APPROVAL OF A) ORDER APPROVING
CHANGE IN PLACE OF USE OF WATER) TRANSFER 5720

On October 30, 1985, an application was filed in the office of the Water Resources Director by Carl E. Austin for approval of a change in place of use of water from a spring, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 39411, Volume 31, State Record of Water Right Certificates, in the name of Charles H. Fellows, describes a right for the use of not to exceed 0.01 cubic foot per second from a spring, for domestic use of one family including the irrigation of not to exceed one-half acre lawn and garden in the SE 1/4 NE 1/4, Section 18, Township 28 South, Range 12 West, WM, with a date of priority of October 29, 1968.

Water for the said right is diverted from a point located 2050 feet North and 270 feet West from the Southeast Corner of NW 1/4 SE 1/4 of Section 18, being within the SW 1/4 NE 1/4 of Section 18, Township 28 South, Range 12 West, WM.

The applicant herein, owner of the lands above described, proposes to transfer the right therefrom to a certain other domestic use including irrigation of not to exceed one-half acre lawn and garden in said SE 1/4 NE 1/4, Section 18, Township 28 South, Range 12 West, WM.

John P. Drolet, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use 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 is approved, without loss of priority.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1987.

It is FURTHER ORDERED that the certificate recorded at page 39411, Volume 31, State Record of Water Right Certificates, is canceled; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 13th day of December, 1985.

William H. Young
WILLIAM H. YOUNG
Director

NOTE: Approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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