

BEFORE THE STATE ENGINEER OF OREGON

Lane County

IN THE MATTER OF THE APPLICATION)
OF FRANCIS M. HORN FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF WATER)
FROM COAST FORK OF WILLAMETTE RIVER)

ORDER APPROVING
TRANSFER NO. 2741

On November 29, 1972, Francis M. Horn filed an application in the office of the State Engineer for the approval of a change in place of use of water from Coast Fork of Willamette River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to M. A. Horn and recorded on page 11298, Volume 10, State Record of Water Right Certificates, confirms a right to the use of not to exceed 1.51 cubic feet per second of water from Coast Fork of Willamette River for the irrigation of, among other lands, 3.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 12.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, Township 20 South, Range 3 West, W.M., with a date of priority of December 22, 1930.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 5.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 9.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, Township 20 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. Gens McGinnis, Watermaster of District No. 2, 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 3.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 12.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, Township 20 South, Range 3 West, W.M., with a date of priority of December 22, 1930, be severed therefrom and simultaneously and without loss of priority, transferred to 5.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 9.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, Township 20 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 M. A. Horn and recorded at page 11298, Volume 10, 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 Francis M. Horn confirming the extent to which the water has been applied beneficially and covering the balance of the lands not involved in this proceeding.

Dated at Salem, Oregon, this 30th day of January, 1973.


CHRIS L. WHEELER
State Engineer