

BEFORE THE STATE ENGINEER OF OREGON

Coos County

IN THE MATTER OF THE PETITION OF )  
W. A. HEARD, PARIS WARD, AND WORLD )  
WAR VETERANS' STATE AID COMMISSION )  
FOR THE ISSUANCE OF A CORRECTION )  
CERTIFICATE OF WATER RIGHT. )  
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ORDER

On June 6, 1940, W. A. Heard, Paris Ward, and World War Veterans' State Aid Commission filed a petition in the office of the State Engineer for the issuance of a certificate of water right to correct that certain Certificate of Water Right No. 7861, issued to W. A. Heard, Victor Sell, and Paris Ward.

On July 17, 1924, W. A. Heard, Victor Sell, and Paris Ward filed an application for a permit to appropriate the waters of a spring branch, tributary of Coquille River, for domestic purposes for three families, which application was approved and Permit No. 6459 issued September 17, 1924, granting a right to the use of the waters of a spring branch, tributary of Coquille River, for domestic purposes.

On December 22, 1928, W. A. Heard submitted proof on behalf of himself, Victor Sell, and Paris Ward that the development had been completed and that three families were actually using the water beneficially. Based on such proof, Certificate of Water Right No. 7861 was issued to W. A. Heard, Victor Sell, and Paris Ward confirming a right to the use of 0.05 cubic foot per second of said waters for domestic purposes on Lot 2, Section 25, Township 28 South, Range 14 West, W. M.

It appears that the certificate of water right made the water appurtenant only to Lot 2, Section 25, Township 28 South, Range 14 West, W. M., the premises of W. A. Heard, and that Lot 1 and Lot 3, said section, belonging to Paris Ward and Victor Sell, respectively, were omitted, although the proof and records indicate that water was being used by the three families on the said premises.

The applicants, W. A. Heard, Paris Ward, and the World War Veterans' State Aid Commission as successor to Victor Sell, state that the water has been used for domestic purposes on said Lots 1, 2, and 3, Section 25, Township 28 South, Range 14 West, W. M., since the granting of said permit.

It appears that Certificate No. 7861 should be cancelled and that a certificate should be issued to supersede said certificate so as to describe correctly the place of use as Lots 1, 2, and 3, Section 25, Township 28 South, Range 14 West, W. M.

NOW, THEREFORE, it hereby is ORDERED that certificate of water right recorded at Page 7861, Volume 8, State Record of Water Right Certificates, be and the same hereby is cancelled and that a new certificate be issued to W. A. Heard, Paris Ward, and the World War Veterans' State Aid Commission for the use of 0.05 cubic foot per second of the waters of a spring branch, tributary of Coquille River, with a date of priority of July 17, 1924, for domestic purposes, on the following-described premises:

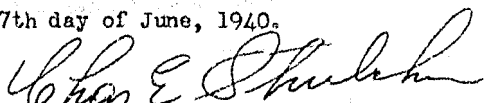
Paris Ward: Lot 1, Section 25, Township 28 South, Range 14 West, W. M., Coos County, Oregon.

W. A. Heard: Lot 2, Section 25, Township 28 South, Range 14 West, W. M., Coos County, Oregon.

World War Veterans' State Aid Commission: That part of Lot 3, Section 25, Township 28 South, Range 14 West, W. M., within the following-described tract: Beginning at the center of Section 25, Township 28 South, Range 14 West, W. M., running thence South along the subdivision line 34.84 chains to the meander line of the right bank of the Coquille River; thence North 79 degrees East 3 chains along the meander line of the right bank; thence North 76 degrees East 5 chains along the meander line of the right bank; thence North 74 degrees East 4.35 chains along the meander line of the right bank; thence North 31.86 chains to the subdivision line running East and West through the center of said Section 25; thence West along said subdivision line 11.99 chains to the place of beginning, containing 40 acres, together with all riparian right fronting and abutting the same.

Dated at Salem, Oregon, this 7th day of June, 1940.

*Noted on records.  
Correction Cert. No.  
13316 issued.*

  
CHAS. E. STRICKLIN

State Engineer