

BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION)
OF W. FRANK BROWN FOR THE APPRO-)
VAL OF A CHANGE IN PLACE OF USE)
OF WATER FROM SOUTH UMPQUA RIVER.)

O R D E R
APPROVING APPLICATION

On May 26, 1953 W. Frank Brown of 440 Claire Street, Roseburg, Oregon filed an application for the approval of a change in place of use of water from South Umpqua River pursuant to the provisions of Section 116-606, O. C. L. A.

Certificate of Water Right recorded at page 9818, Volume 9, State Record of Water Right Certificates, was issued to Mrs. J. O. Metz confirming a right under Permit No. 7666 for the use of water from South Umpqua River for the irrigation of, among other lands, 5 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, Township 30 South, Range 4 West, W. M., with a date of priority of November 16, 1926.

W. Frank Brown, owner of the land above described, proposes to transfer the water right therefrom, without loss of priority to 4.5 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 0.5 acre in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, Township 30 South, Range 4 West, W. M.

Notice by publication as provided by Section 116-606, O. C. L. A., was not given in connection with this application for the reason said section provides notice is not required on applications for only a change in place of use of water.

No objections having been filed and it appearing that the proposed change in place of use of water from South Umpqua River 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 be and the same hereby is approved and that the water right hereinbefore described as appurtenant to 5 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, Township 30 South, Range 4 West, W. M., be severed therefrom and simultaneously and without loss of priority transferred to 4.5 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 0.5 acre in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, Township 30 South, Range 4 West, W. M.

It is FURTHER ORDERED that the said water so transferred shall be applied to beneficial use on or before October 1, 1954 or within such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of the complete application of water to beneficial use on the lands to which the water is transferred hereby, Certificate of Water Right shall be issued to said W. Frank Brown or his successors in interest, to the extent to which the water has been applied beneficially, and Certificate of Water Right recorded at page 9818, Volume 9, State Record of Water Right Certificates, shall be cancelled.

Dated at Salem, Oregon this 11th day of June, 1953.

Noted on Cert # 9818

Chas E Stricklin
CHAS. E. STRICKLIN
State Engineer