

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION )  
OF FLOYD G. BUBB AND LILA F. BUBB )  
FOR THE APPROVAL OF A CHANGE IN )  
PLACE OF USE OF WATER FROM )  
LITTLE BUTTE CREEK )  
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ORDER APPROVING  
TRANSFER NO. 2780

On November 8, 1972, Floyd G. Bubb and Lila F. Bubb filed an application in the office of the State Engineer for the approval of a change in place of use of water from Little Butte Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to R. E. Tucker and recorded at page 743, Volume 1, State Record of Water Right Certificates, confirms a right to the use of 0.17 cubic foot per second of water from Little Butte Creek for the irrigation of, among other lands, 3.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 5, Township 36 South, Range 1 East, W.M., with a date of priority of May 21, 1910.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 3.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 4, Township 36 South, Range 1 East, 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. David C. Hendrix, Watermaster of District No. 13, 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.

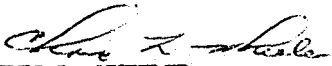
NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and the water right heretobefore described as

appurtenant to 3.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 5, Township 36 South, Range 1 East, W.M., with a date of priority of May 21, 1910, be severed therefrom and simultaneously and without loss of priority, transferred to 3.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 4, Township 36 South, Range 1 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1974.

It is FURTHER ORDERED that certificate of water right heretofore issued to R. E. Tucker and recorded at page 743, Volume 1, State Record of Water Right Certificates, is canceled and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding 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 Floyd G. Bubb and Lila F. Bubb confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 10th day of April, 1973.

  
CHRIS L. WHEELER  
State Engineer