

Encl. 1.

February 10, 1930.

Mr. J. J. Munsell,  
Jacksonville,  
Oregon.

Dear Sir:

I am returning herewith your application for approval of a change in point of diversion from an unnamed gulch, a tributary of Little Applegate River. In changing the point of diversion from an unnamed gulch to that of the Upper Gallagher Ditch, you are also changing the source of supply, which is a new appropriation.

Section 5721, Oregon Laws, provides that: "Any person, association or corporation hereafter intending to acquire a right to the beneficial use of any waters shall before commencing the construction, enlargement or extension of any ditch, canal, or other distributing or controlling works, or performing any work in connection with said construction, or proposed appropriation, make application to the State Engineer for a permit to make such appropriation."

Your application for a transfer, therefore, is denied.

Very truly yours,

HEERA LUPER  
State Engineer,

By

MFR:rjw.  
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Max F. Rogers,  
Assistant.