

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
 OF DESCHUTES COUNTY, OREGON, FOR)
 THE APPROVAL OF A CHANGE IN PLACE)
 OF USE OF WATER.)
 -----)

O R D E R
APPROVING APPLICATION

On December 1, 1944, Deschutes County, Oregon, filed an amended application for the approval of a change in place of use of water within the boundaries of the Deschutes County Municipal Improvement District.

Deschutes County, through foreclosure of tax liens, has heretofore acquired title to lands with certain water rights appurtenant thereto located within the boundaries of the Deschutes County Municipal Improvement District in Deschutes County, Oregon, described as follows:

Sub-division	Description of Lands			Acres Water Right		
	Sec.	Twp.	Rge.	Crescent Lake Reservoir (Permit R-102)	Tumalo Reservoir Crater and Little Crater Creek and 3 small springs (Permit 571)	Deschutes River Decree Dated Feb. 10, 1928 (Par. 31)
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	30	16 S. 12 E.	32	20	32
S $\frac{1}{2}$	SE $\frac{1}{4}$ SE $\frac{1}{4}$	25	16 S. 11 E.	9	0	9
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	26	16 S. 11 E.	30	28	30
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	28	16 S. 11 E.	13	0	13
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	11	16 S. 11 E.	20	0	20
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	3	17 S. 11 E.	11	0	11

Chapter 267, Laws of Oregon for 1931, provides that when the title to lands within an irrigation district has been acquired by the county through foreclosure of tax liens, the said county upon request of an irrigation district in which said lands are located have authority to make application for the transfer of such water rights to other lands.

That Deschutes County Municipal Improvement District did petition the County Court of Deschutes County, Oregon, to transfer the water rights appurtenant

to the above described lands to other lands within the district, to-wit:

Sub-division	Sec.	Twp.	Rge.	Description of Lands			Acres Water Right	
				Crescent Lake Reservoir (Permit R-102)	Tumalo Reservoir Crater and Little Crater Creek and 3 small springs (Permit 571)	Deschutes River Decree Dated Feb. 10, 1928 (Par. 31)		
SW $\frac{1}{4}$ SW $\frac{1}{4}$	4	16 S.	12 E.	31.6	20	31.6		
NW $\frac{1}{4}$ NW $\frac{1}{4}$	9	16 S.	12 E.	38.5	28	38.5		
NW $\frac{1}{4}$ NW $\frac{1}{4}$	29	16 S.	12 E.	5.0	0	5.0		
NW $\frac{1}{4}$ SE $\frac{1}{4}$	19	16 S.	12 E.	27.0	0	27.0		
SW $\frac{1}{4}$ NW $\frac{1}{4}$	31	16 S.	12 E.	12.9	0	12.9		

It appears that such transfer will inure to the benefit of the district and may be made without injury to existing rights and 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 rights hereinafter set forth as appurtenant to the following lands, to-wit:

Sub-division	Sec.	Twp.	Rge.	Description of Lands			Acres Water Right	
				Crescent Lake Reservoir (Permit R-102)	Tumalo Reservoir Crater and Little Crater Creek and 3 small springs (Permit 571)	Deschutes River Decree Dated Feb. 10, 1928 (Par. 31)		
SE $\frac{1}{4}$ NE $\frac{1}{4}$	30	16 S.	12 E.	32	20	32		
S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	25	16 S.	11 E.	9	0	9		
NE $\frac{1}{4}$ NE $\frac{1}{4}$	26	16 S.	11 E.	30	28	30		
SW $\frac{1}{4}$ NE $\frac{1}{4}$	28	16 S.	11 E.	13	0	13		
NW $\frac{1}{4}$ SW $\frac{1}{4}$	11	16 S.	11 E.	20	0	20		
NW $\frac{1}{4}$ NW $\frac{1}{4}$	3	17 S.	11 E.	11	0	11		

be severed therefrom and simultaneously, and without loss of priority, transferred to the following:

Description of Lands

<u>Sub-division</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Crescent Lake Reservoir (Permit R-102)</u>	<u>Tumalo Reservoir Crater and Little Crater Creek and 3 small springs (Permit 571)</u>	<u>Deschutes River Decree Dated Feb. 10, 1928 (Par. 31)</u>
SW $\frac{1}{4}$ SW $\frac{1}{4}$	4	16 S.	12 E.	31.6	20	31.6
NW $\frac{1}{4}$ NW $\frac{1}{4}$	9	16 S.	12 E.	38.5	28	38.5
NW $\frac{1}{4}$ NW $\frac{1}{4}$	29	16 S.	12 E.	5.0	0	5.0
NW $\frac{1}{4}$ SE $\frac{1}{4}$	19	16 S.	12 E.	27.0	0	27.0
SW $\frac{1}{4}$ NW $\frac{1}{4}$	31	16 S.	12 E.	12.9	0	12.9

It is FURTHER ORDERED that complete application of water to beneficial use on the lands to which the water is transferred hereby shall be made on or before October 1, 1946, or such extension of time as may be granted by the State Engineer for good cause shown.

Dated at Salem, Oregon, this 24th day of January, 1945.


 CHAS. E. STRICKLIN
 State Engineer

Order No. 1-61

✓ *this Order Amended see p 218 this Volume*