

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County.

IN THE MATTER OF THE APPLICATION OF)
GUS. E. STADIG FOR THE APPROVAL OF A)
CHANGE IN THE PLACE OF USE OF WATER) O R D E R .
UNDER THE PROVISIONS OF SECTION 5764)
OREGON LAWS.)

Now at this time this matter coming on for consideration by the state Engineer on the application of Gus E. Stadig for the approval of a change in the place of use of the waters of Squaw Creek, and it having been made to appear;

That a water right for 5 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18 T. 14 S. R. 12 E.W.M. (hereinafter called Tract No. 1) with priority of 1895, was allowed in the Squaw Creek adjudication, and that it is now desired to change the use of water from said tract to 5 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, T. 14 S. R. 12 E. W. M. (hereinafter called Tract No. 2);

That the land in Tract No. 1 is steep and rough and it is impractical under present conditions to irrigate said land; that the land in Tract No. 2 is well situated and in a good state of cultivation, but has no adequate water right; and that a more economical and beneficial use of water would result if said Tract No. 2 could have the supply of water afforded by the 1895 water right appurtenant to Tract No. 1;

That said land is under the canal of the Squaw Creek Irrigation District, and that the Board of Directors of said District has given its consent in writing to the proposed change;

And it appearing further, that an inspection of the lands involved has been made by the State Engineer in accordance with law, and that said change can apparently be made without injury to other rights; but that other parties whose rights might be affected by the change have not had notice and been given an opportunity to object to said change;

NOW THEREFORE, it is hereby ORDERED that, subject to the conditions herein imposed, said application be and the same is hereby allowed, and said change approved, and that the water right now appurtenant to Tract No. 1.

may be severed from said land, and the water covered by said right may be used on

and become appurtenant to Tract No. 2, without loss of priority of the right heretofore established, except as to such existing rights to which such change is a detriment or injury, but said right hereby transferred is hereby made subject and subsequent to any and all rights so injured by such change, to the extent of such injury.

AND IT IS FURTHER ORDERED, that said application is approved only on condition that after such change has been made and the water used on Tract No. 2, under priority of 1888⁹⁵, the equivalent acreage of any other water right which might now be appurtenant to said Tract No. 2 shall be considered as abandoned, and the water covered thereby shall revert to the State of Oregon and become subject to appropriation by other users of water from said stream.

Dated this 25th day of February, 1924, at Salem, Oregon.

Rhea Luper
RHEA LUPER
STATE ENGINEER.

NOTATIONS
Vol. 1, p. 476

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Decree - Vol 1, p. 476
File # 15-41

Rhea Luper