

BEFORE THE STATE ENGINEER OF OREGON

Wasco County

IN THE MATTER OF THE APPLICATION )  
OF DAVID MILLER STANCLIFF FOR )  
APPROVAL OF A CHANGE IN PLACE OF )  
USE OF WATER. )  
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O R D E R  
APPROVING APPLICATION

On January 7, 1941, David Miller Stancliff of Wamic, Oregon, filed an application for the approval of a change in place of use of water under the Lost and Boulder Ditch Company Ditch.

By decree of the court dated November 30, 1923, in the matter of the determination of the relative rights to the use of the waters of White River and its tributaries, a water right was recognized in the name of the Lost and Boulder Ditch Company for stock and domestic purposes and the irrigation of, among other lands, 5 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 9, Township 5 South, Range 11 East, W. M., with a date of priority of 1901, and by decree of the court dated January 16, 1932, in the same proceedings, the company was awarded a water right for the irrigation of, among other lands, 2.5 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  and 2.6 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 9, Township 5 South, Range 11 East, W. M., with a date of priority of 1911. On January 29, 1931, the State Engineer entered an order approving the application of S. G. Ledford for a change in place of use of water wherein one acre was transferred from the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , said Section 9.

The applicant herein, owner of the above-described lands, proposes to transfer the water rights therefrom to the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 1, Township 5 South, Range 11 East, 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 that said section provides that notice is not required in applications for only a change in place of use of water.

The board of directors of the Lost and Boulder Ditch Company having approved the proposed change in place of use of water and it appearing that such change can 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 the water rights hereinbefore described as appurtenant to 2.5 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  and 2.6 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 9, Township 5 South, Range 11 East, W. M., with a date of priority of 1911, and 4 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , said Section 9, with a date of priority of 1901, be severed therefrom and simultaneously and without loss of priority transferred to the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 1, Township 5 South, Range 11 East, W. M.

It is FURTHER ORDERED that complete application of water to beneficial use on the lands to which the water hereby is transferred be made on or before October 1, 1942, or such further extension of time as may be granted by the State Engineer for good cause shown.

Dated at Salem, Oregon, this 21st day of February, 1941.

  
CHAS. E. STRICKLIN

State Engineer

*Noted on Records:  
Vol. 7, p. 219 and  
Vol. 11, p. 418*

*Cart. 14586 confirms  
this change.*