

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF )  
 AGNES MILLER, R. C. MILLER AND )  
 MARSHALL YOUMANS FOR APPROVAL OF A )  
 CHANGE IN PLACE OF USE OF WATER WITHIN )  
 THE BOUNDARIES OF THE ARNOLD IRRI- )  
 GATION DISTRICT. )

O R D E R

APPROVING APPLICATION

On August 16, 1937, an application was filed by Agnes Miller, R. C. Miller and Marshall Youmans for the approval of a change in place of use of water within the boundaries of the Arnold Irrigation District.

In the adjudication proceedings involving the determination of the relative rights to the use of the waters of Deschutes River and its tributaries, a water right was recognized in the name of the Arnold Irrigation Company for the irrigation of, among other lands, 40 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 7, Township 18 South, Range 13 East, W. M., through the Arnold Irrigation System from Deschutes River, said lands being owned by Agnes Miller and R. C. Miller. The applicants herein propose to transfer said 40-acre water right to 40 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 12, Township 18 South, Range 12 East, W. M., said lands belonging to Marshall Youmans.

The Arnold Irrigation District having submitted its approval of the proposed transfer, it appears that such change in place of use of water can be made without injury to existing rights.

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 right appurtenant to 40 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 7, Township 18 South, Range 13 East, W. M. be severed therefrom and simultaneously and without loss of priority transferred to 40 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 12, Township 18 South, Range 12 East, W. M.

And it is FURTHER ORDERED that said water right so transferred shall be applied to beneficial use within the time fixed for completion of inchoate rights in the matter of the determination of the relative rights to the use of the waters of Deschutes River and its tributaries.

Dated at Salem, Oregon, this 1st day of September, 1937.



CHAS. E. STRICKLIN

State Engineer

*Notations made on  
Decree, Vol. 9, p. 461*