

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF LAURA E. NEWLANDS, PAUL E.)
NEWLANDS, AND WALTER KIZER FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER WITHIN THE BOUNDARIES)
OF THE ARNOLD IRRIGATION DISTRICT.)
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O R D E R

APPROVING APPLICATION

On January 29, 1942, Laura E. Newlands, Paul E. Newlands, and Walter Kizer filed an application for approval of a change in place of use of water within the boundaries of the Arnold Irrigation District.

In the adjudication proceedings determining 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, 30 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, Township 18 South, Range 12 East, W. M.

Laura E. Newlands and Paul E. Newlands, owners of the above-described lands, propose to transfer the water right appurtenant to 25 acres thereof to 25 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, Township 18 South, Range 13 East, W. M., belonging to Walter Kizer.

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 Arnold Irrigation District, successor-in-interest to the Arnold Irrigation Company, having submitted its approval of the proposed transfer and it appearing that such change in place of use of water may 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 that the water right hereinbefore described as appurtenant to 25 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, Township 18 South, Range 12 East, W. M., be severed therefrom and simultaneously and without loss of priority transferred to 25 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, Township 18 South, Range 13 East, W. M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use within the time fixed for completion of inchoate water rights allowed in the matter of the determination of the relative rights to the use of the waters of Deschutes River and its tributaries, or such extension of time as may be granted in said matter by the State Engineer.

Dated at Salem, Oregon, this 5th day of February, 1942.


CHAS. E. STRICKLIN

State Engineer

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