

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF )  
GLEN GREGG, MEL STRICKLETT AND CASPER W. )  
LIBEL FOR THE APPROVAL OF A CHANGE IN )  
PLACE OF USE OF WATER FROM DESCHUTES )  
RIVER. )  
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O R D E R  
APPROVING APPLICATION

On May 18, 1951, Glen Gregg, Mel Stricklett and Casper W. Libel of Bend, Oregon, filed an application for the approval of a change in place of use of water from Deschutes River, pursuant to the provisions of Section 116-606, O. C. L. A.

By decree of the Circuit Court for Deschutes County, Oregon, in the matter of the determination of the relative rights to the use of the waters of Deschutes River and its tributaries, and by virtue of orders of the State Engineer approving certain applications for the approval of changes in place of use of water, there is an inchoate water right appurtenant to 38 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 28, T. 17 S., R. 12 E., W. M., of which 34 acres are in the name of Central Oregon Irrigation District and 4 acres in the name of Arnold Irrigation District.

Glen Gregg, owner of Lot 1, Block 1, Ellis Subdivision, Deschutes County, Oregon, and Mel Stricklett, owner of Lot 2 and the S $\frac{1}{2}$  of Lot 3, Block 1, Ellis Subdivision, Deschutes County, Oregon, to which .67 acre and 1.33 acre, respectively, of the above described inchoate water rights in the name of Arnold Irrigation District are appurtenant, proposes to transfer the water right therefrom, without loss of priority, to 2 acres in Tract 8, Block 1, Hunnell Acres, Deschutes County, Oregon, owned by Casper W. Libel.

Notice by publication, as provided by Section 116-606, O. C. L. A., is not given in connection with this application for the reason that said section provides that notice is not required on applications for only a change in place of use of water.

The 2 acres from which it is proposed to transfer the water and the 2 acres to which it is proposed to transfer the water are within the boundaries of the Arnold Irrigation District and the Board of Directors of said District have approved the application in writing.

From a physical examination of Lots 1 and 2 and the  $S\frac{1}{2}$  of Lot 3, Block 1, Ellis Subdivision, Deschutes County, Oregon, the land from which it is proposed to transfer the water, made by Mr. Geo. V. Naderman, a representative of the State Engineer, it appears that the 2 acres within said subdivision have been reclaimed and irrigated.

No objections having been filed and it appearing that the proposed 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 .67 acre in Lot 1, Block 1, Ellis Subdivision, Deschutes County, Oregon, owned by Glen Gregg and 1.33 acre in Lot 2 and the  $S\frac{1}{2}$  of Lot 3, Block 1, Ellis Subdivision, Deschutes County, Oregon, owned by Mel Stricklett, be severed therefrom and simultaneously and without loss of priority, transferred to 2 acres in Tract 8, Block 1, Hunnell Acres, Deschutes County, Oregon.

*being within the NWSE Sec 4 T18S, R12E W.M.*

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1951, or within such

extension of time as may be granted by the State Engineer for good cause shown.

Dated at Salem, Oregon, this 28th day of June, 1951.

  
CHAS. E. STRICKLIN  
State Engineer

Notes: Original proof submitted by Arnold Irr. Dist. included claim for 2.0 ac in Lot 8 Block 1, Hunnell Acres, in name of Casper Kibel. Amended proof omitted claim for Casper Kibel. State Engr survey did not disclose any land irrigated in Lot 8, Block 1, Hunnell Acres, consequently no acreage was allowed.

See Findings 11, page 6 for Glenn Gray & Mel Stricklett interest in this transfer.

to of # G-33

This 22 Ac +/- retransferred via T-3245