

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF)
E. E. VARCO AND DEAN WONSER FOR THE)
APPROVAL OF A CHANGE IN PLACE OF USE)
OF WATER.)
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O R D E R

APPROVING APPLICATION

On February 25, 1946, E. E. Varco and Dean Wonser filed an application for the approval of change in place of use of water from Snow and Three Creeks and water from Big and Little Three Creeks Lakes, pursuant to the provisions of Section 116-606, O.C.L.A.

Dean Wonser is the owner of land in Sections 11, 12, 13 and 14, Township 16 South, Range 10 East, W.M., and the Snow Creek Irrigation District is the owner of land in Section 10, Township 16 South, Range 11 East, W.M., a description of said land and the number of acres irrigated under permit right or adjudicated right being set forth as follows:

(1) Sub- division	(2) Sec- tion	(3) No. of Acres Water Right	(4) Owned by	(5) Adjudicated right	(6) Permit Right	(7) No. of Acres to be Transferred
SW $\frac{1}{4}$ NW $\frac{1}{4}$	10	20	District		20	14
SE $\frac{1}{4}$ SE $\frac{1}{4}$	11	33.7	D.Wonser	33.7		30
SW $\frac{1}{4}$ SW $\frac{1}{4}$	12	16.3	D.Wonser	16.3		15
NW $\frac{1}{4}$ NW $\frac{1}{4}$	13	40.0	D.Wonser)	8.4	31.6	26.6)
)			8.4)
SW $\frac{1}{4}$ NW $\frac{1}{4}$	13	40.0	D.Wonser		40.0	40
NW $\frac{1}{4}$ SW $\frac{1}{4}$	13	16.7	D.Wonser		16.7	16.7
NE $\frac{1}{4}$ NE $\frac{1}{4}$	14	21.6	D.Wonser	21.6		10

In the Snow Creek and Three Creeks adjudication proceedings, those lands described in Column 5 above were adjudicated a water right from the direct flow of Snow Creek and Three Creeks and storage in Big and Little Three Creeks Lakes with a date of priority of 1886. Certificate of Water Right issued to the Snow Creek Irrigation District and recorded at Page 15360, Volume 13, State Record of Water Right Certificates, confirms a right under Permit No. 12458 for the irrigation of, among other lands, those appearing in Column 6 above, from the direct flow from Snow and Three Creeks with a date of priority of March 8, 1923, and storage in Big and Little Three Creeks Lakes with a date of priority of September 12, 1936.

The applicants herein propose to sever the water rights appurtenant to 160.7 acres set forth in Column 7 above, and simultaneously and without loss of priority transfer said water rights to certain lands owned by E. E. Varco and Dean Wonsor, described as follows:

Sub-division	Section	Township	Range	No. of Acres	Date of Priority	
					1886	3-8-23 and 9-12-36
Lot 4						
(SW $\frac{1}{4}$ SW $\frac{1}{4}$)	31	15S.	11E.	12	3.3	8.7
SE $\frac{1}{4}$ SW $\frac{1}{4}$	36	15S.	10E.	10	10	
SW $\frac{1}{4}$ SE $\frac{1}{4}$	36	15S.	10E.	30	30	
SE $\frac{1}{4}$ SE $\frac{1}{4}$	36	15S.	10E.	40	20.1	19.9
NW $\frac{1}{4}$ SE $\frac{1}{4}$	1	16S.	10E.	40		40
NE $\frac{1}{4}$ SE $\frac{1}{4}$	1	16S.	10E.	20		20
NE $\frac{1}{4}$ NW $\frac{1}{4}$	9	16S.	11E.	8.7		8.7

The NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, is owned by Dean Wonsor, and the remaining lands are owned by E. E. Varco.

The board of directors of the Snow Creek Irrigation District, on June 2, 1948, gave their consent and approval to the proposed change in place of use of water.

Notice by publication, as provided by Section 116-606, O.C.I.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.

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 right to the use of the waters of Snow Creek and Three Creeks and Big and Little Three Creeks Lakes with a date of priority of 1886, for the irrigation of the following described land:

30 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11,
 15 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12,
 8.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13,
 10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 14,
 Township 16 South, Range 10 East,
 W.M.,

be severed therefrom and simultaneously and without loss of priority transferred to the following described land:

10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$,
30 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$,
20.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 36,
Township 15 South,
Range 10 East, W.M.
3.3 acres in Lot 4
(SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 31,
Township 15 South,
Range 11 East, W.M.

and that the right to the use of the waters of Snow and Three Creeks
with a date of priority of March 8, 1923, and the waters of Big and
Little Three Creeks Lakes with a date of priority of September 12,
1936, for the irrigation of the following described lands:

14 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 10,
Township 16 South,
Range 11 East, W.M.,
26.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$,
40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$,
16.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 13,
Township 16 South,
Range 10 East., W.M.,

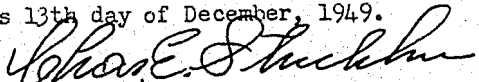
be severed therefrom and simultaneously and without loss of priority
transferred to the following described land:

19.9 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 36,
Township 15 South,
Range 10 East., W.M.,
8.7 acres in Lot 4
(SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 31,
Township 15 South,
Range 11 East., W.M.,
20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$,
40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 1,
Township 16 South,
Range 10 East., W.M.,
8.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 9,
Township 16 South,
Range 11 East., W.M.,

It is FURTHER ORDERED that complete application of water
to beneficial use on the land to which the water is transferred hereby,
shall be completed on or before October 1, 1950, or such extension of
time as may be granted by the State Engineer for good cause.

It is FURTHER ORDERED, that upon receipt of proof satisfactory to the State Engineer of the complete application of water to beneficial use, as provided herein, a certificate shall be issued to the Snow Creek Irrigation District to supersede the certificate heretofore issued to said district and recorded at Page 15360, Volume 13, State Record of Water Right Certificates, and a certificate shall be issued to E. E. Varco to supersede the certificate heretofore issued to Frank Colfelt and recorded at Page 14785, Volume 12, State Record of Water Right Certificates.

Dated at Salem, Oregon, this 13th day of December, 1949.


CHAS. E. STRICKLIN
State Engineer

Noted on Decree

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Cert. 14785

" 15360

File # V-10