

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION )  
OF W. D. COLLINS FOR THE APPROVAL )  
OF A CHANGE IN PLACE OF USE OF )  
WATER FROM DESCHUTES RIVER AND )  
STORAGE IN CRESCENT LAKE RESER- )  
VOIR. )  
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ORDER  
APPROVING APPLICATION

On December 9, 1949, W. D. Collins, Route 2, Bend, Oregon, filed an application for the approval of a change in place of use of water from Deschutes River and storage in Crescent Lake Reservoir, pursuant to the provisions of Section 116-606, O.C.L.A.

In the Deschutes River adjudication proceedings, the Deschutes County Municipal Improvement District was awarded a right to the use of water stored in Crescent Lake Reservoir under Permit No. R-102, with a date of priority of March 20, 1911, for the irrigation of, among other lands, the irrigable area within the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 33, Township 16 South, Range 11 East, W.M. In the same proceedings the district was also awarded a right to the use of 9.5 cubic feet per second of the waters of Deschutes River with a date of priority of 1905, for the irrigation of among other lands, the irrigable area of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ . This tract of land has an irrigable area of 25 acres and is being assessed on this basis by the District.

The applicant herein, owner of 5.6 acres of the above described land to which said water rights are appurtenant, proposes to transfer the water right therefrom, without loss of priority, to 5.6 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 34, Township 16 South, Range 11 East, W.M.

All the lands involved herein are within the boundaries of the Deschutes County Municipal Improvement District, and the board of directors of said district, at a meeting held December 6, 1949, approved of the proposed change in place of use of water.

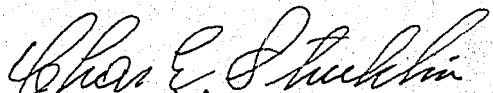
Notice by publication as provided by Section 116-606, O.C.L.A., was not given in connection with this application for the reason that said section provides that notice is not required on applications for only a change in place of use of water.

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 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 5.6 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 33, Township 16 South, Range 11 East, W.M., with a date of priority of March 20, 1911, from storage water in Crescent Lake Reservoir and 1905 from direct flow of Deschutes River, be severed therefrom and simultaneously and without loss of priority transferred to the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 34, 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 made on or before June 30, 1949.

Dated this 20th day of December at Salem, Oregon.

  
CHAS. E. STRICKLIN  
State Engineer