

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF)
 CLAUD GANT, ANNIE GANT, GEORGE T.)
 MURPHY, FAYE MURPHY, J. S. GRAHLMAN,)
 LUCILLE GRAHLMAN, H. C. KERRON, LES-)
 LIE KERRON, W. B. ANDERSON, LILLIAN)
 ANDERSON, R. K. INNES, MARION INNES,)
 C. F. WILLIAMSON AND ESTATE OF CHAR-)
 LES SIPCHEN FOR APPROVAL OF CHANGE)
 IN PLACE OF USE OF WATER FROM)
 DESCHUTES RIVER.)
 -----)

ORDER APPROVING

APPLICATION NO. G-22

On December 26, 1946, Claud Gant, Annie Gant, George T. Murphy, Faye Murphy, J. S. Grahlman, Lucille Grahlman, H. C. Kerron, Leslie Kerron, W. B. Anderson, Lillian Anderson, R. K. Innes, Marion Innes, C. F. Williamson and Estate of Charles Sipchen filed an application for a change in place of use of water from Deschutes River, within the boundaries of the Arnold Irrigation District, pursuant to the provisions of Section 116-606, O. C. L. A.

In the matter of 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, 207 acres with dates of priority of February 1, 1905, and April 25, 1905, hereinafter described in Schedule I. Opposite the sub-division, section, township and range is shown the number of acres having water rights and the number of acres of water right it is proposed to transfer.

SCHEDULE I

Sub-division	Section	Township	Range	Number of Acres Having Water rights	Number of Acres to be Transferred
NW $\frac{1}{4}$ SE $\frac{1}{4}$	15	18 S	12 E.W.M.	13	13
NE $\frac{1}{4}$ NE $\frac{1}{4}$	16	18 S	12 E.W.M.	35	28
SW $\frac{1}{4}$ NW $\frac{1}{4}$	16	18 S	12 E.W.M.	30	5
NE $\frac{1}{4}$ SW $\frac{1}{4}$	16	18 S	12 E.W.M.	35	28
NW $\frac{1}{4}$ SW $\frac{1}{4}$	16	18 S	12 E.W.M.	38	20
NE $\frac{1}{4}$ NE $\frac{1}{4}$	21	18 S	12 E.W.M.	27	27
NW $\frac{1}{4}$ NE $\frac{1}{4}$	21	18 S	12 E.W.M.	15	15
SW $\frac{1}{4}$ NE $\frac{1}{4}$	21	18 S	12 E.W.M.	30	30
SE $\frac{1}{4}$ NE $\frac{1}{4}$	21	18 S	12 E.W.M.	30	30
NE $\frac{1}{4}$ SW $\frac{1}{4}$	28	17 S	12 E.W.M.	25	11

Claud Gant, Annie Gant, George T. Murphy, Faye Murphy, J. S. Grahman, Lucille Grahman, H. C. Kerron, Leslie Kerron, W. B. Anderson, Lillian Anderson, R.K. Innes, Marion Innes, and Estate of Charles Sipchen, owners of said 207 acres, propose to transfer the water rights appurtenant thereto, to 207 acres owned by C. F. Williamson hereinafter described in Schedule II, as follows:

SCHEDULE II

Sub-division	Section	Town-ship	Range	Number of acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$	23	18 S	11 E.W.M.	20
SE $\frac{1}{4}$ NE $\frac{1}{4}$	23	18 S	11 E.W.M.	20
E $\frac{1}{2}$ SW $\frac{1}{4}$	23	18 S	11 E.W.M.	20
SW $\frac{1}{4}$ NE $\frac{1}{4}$	24	18 S	11 E.W.M.	20
NW $\frac{1}{4}$ NW $\frac{1}{4}$	24	18 S	11 E.W.M.	20
SW $\frac{1}{4}$ NW $\frac{1}{4}$	24	18 S	11 E.W.M.	16
SE $\frac{1}{4}$ NW $\frac{1}{4}$	24	18 S	11 E.W.M.	30
NE $\frac{1}{4}$ SW $\frac{1}{4}$	24	18 S	11 E.W.M.	10
SW $\frac{1}{4}$ SW $\frac{1}{4}$	24	18 S	11 E.W.M.	15
SE $\frac{1}{4}$ SW $\frac{1}{4}$	24	18 S	11 E.W.M.	8
NE $\frac{1}{4}$ NW $\frac{1}{4}$	25	18 S	11 E.W.M.	5
NW $\frac{1}{4}$ NW $\frac{1}{4}$	25	18 S	11 E.W.M.	23

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.

Oliver Pickens, employee of the Arnold Irrigation District for the past ten years, has submitted an affidavit to the effect that water has been applied beneficially upon the lands from which it is proposed to transfer the water for a period of over ten years.


The Arnold Irrigation District, successor in interest to the Arnold Irrigation Company, has submitted their approval to the proposed change in

place of use of water and it appearing that all the lands involved herein are within the boundaries of the District and 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 be and the same hereby is approved, and that the 207 acres of water rights hereinbefore described in Schedule I be severed therefrom and simultaneously and without loss of priority transferred to the lands hereinbefore described in Schedule II.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before June 30, 1947.

Dated at Salem, Oregon, this 31st day of December, 1946.


CHAS. E. STRICKLIN
State Engineer

✓
Noted on Decree.
Vol. 9, p 458
: 459
: 460