

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF J. A. PAUSCH AND LOLA L.)
PAUSCH FOR THE APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)
FROM DESCHUTES RIVER.)

O R D E R
APPROVING APPLICATION

On April 7, 1960, J. A. Pausch and Lola L. Pausch filed an application in the office of the State Engineer for the approval of a change in place of use of water from Deschutes River pursuant to the provisions of ORS 540.510 to 540.530.

By decree of the Circuit Court for Deschutes County, Oregon, entered July 18, 1958, in the matter of the determination of the relative rights to the use of waters of Deschutes River and its tributaries, a water right was established in the name of Arnold Irrigation District for the irrigation of, among other lands, 32 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21, Township 18 South, Range 12 East, W. M., said 32 acres being tabulated under the names of Joe Fales and Floyd Black.

The applicants herein, owners of 10 acres of the land above described, said 10 acres being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, said Section 21, propose to transfer the water right therefrom without loss of priority, to 10 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, Township 18 South, Range 12 East, W. M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water only.

The Board of Directors of the Arnold Irrigation District approved the proposed change in place of use of water on March 1, 1960.

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 from Deschutes River be and the same is approved and that the water right hereinbefore described as appurtenant to 10 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21, Township 18 South, Range 12 East, W. M., be severed therefrom and simultaneously and without loss of priority transferred to 10 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, Township 18 South, Range 12 East, W. M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1960, or within such extension of time as may be granted by the State Engineer for good cause shown.

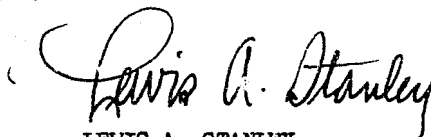
It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use on the lands to which the water is transferred hereby, certificate of water right shall be issued to the Arnold Irrigation District to the extent to which the water has been applied beneficially at the time certificates are issued in the Deschutes River adjudication proceedings.

Dated at Salem, Oregon, this 25th day of April, 1960.

Noted on Decree

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LEWIS A. STANLEY
State Engineer