

Deschutes County

IN THE MATTER OF THE APPLICATION OF)
 ALLEN L. HARRINGTON FOR THE APPROVAL)
 OF A CHANGE IN PLACE OF USE OF WATER)
 FROM SQUAW CREEK.)

O R D E R

APPROVING APPLICATION

C-39

On August 30, 1943, Allen L. Harrington of Sisters, Oregon, filed an application for the approval of a change in place of use of water from Squaw Creek, within the boundaries of the Squaw Creek Irrigation District.

By decree of the Circuit Court for Crook County in the matter of the determination of the relative rights to the use of the waters of Squaw Creek and its tributaries, a water right was recognized for the irrigation of 22 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, with a date of priority of November, 1904, 16.5 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, with a date of priority of 1904, 22 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 4.5 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, with a date of priority of 1904, and 6.5 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, with a date of priority of November, 1904, all of said lands being within Section 26, Township 15 South, Range 10 East, W. M.

The applicant herein, owner of the water rights appurtenant to 64 acres of the above described lands, to-wit: 34 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 20.5 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 4.5 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 5 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, Township 15 South, Range 10 East, W. M., proposes to transfer the water rights therefrom, without loss of priority, to 36 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 8 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, Township 15 South, Range 10 East, W. M., belonging to Charles Christy, administrator of the estate of John Larsson, deceased, and Charles Christy and Edna Christy, husband and wife.

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.

All the lands involved herein are within the boundaries of the Squaw Creek Irrigation District, the board of directors of such district having approved the application at its regular meeting held August 3, 1943.

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 water right hereinbefore described as appurtenant to 22 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, with a date of priority of November, 1904, and 12 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 20.5 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 4.2 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, with a date of priority of 1904 and 5 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, with a date of priority of November, 1904, all in Section 26, Township 15 South, Range 10 East, W. M., be severed therefrom and simultaneously and without loss of priority transferred to 27 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, with a date of priority of November, 1904, 9 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, 20 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 8 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, with a date of priority of 1904. *Sec. 24 - T. 15 S. R. 10 E. W. M.*

Dated at Salem, Oregon, this 31st day of August, 1943.

*Notations made on
Certs. 302 E and 850 G,
also Decree, Vol. 1, p. 478
and p. 127
C-39*

Chas. E. Stricklin
CHAS. E. STRICKLIN

State Engineer