

Deschutes County

IN THE MATTER OF THE APPLICATION OF)
 D. D. TUSSING AND LILLIAN E. TUSSING,)
 HUSBAND AND WIFE, AND GEORGE WINDHAM)
 FOR THE APPROVAL OF A CHANGE IN PLACE)
 OF USE OF WATER FROM DESCHUTES RIVER.)

O R D E RAPPROVING APPLICATION

On April 9, 1947, D. D. Tussing and Lillian E. Tussing, husband and wife, and George Windham of Bend, Oregon, filed an application for a change in place of use of water from Deschutes River, pursuant to the provisions of Section 116-606, O. C. L. A.

By decree of the Circuit Court for Deschutes County dated December 17, 1932, 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 Deschutes Reclamation and Irrigation Company for the irrigation of, among other lands, 20 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 16 South, Range 12 East, W. M., from Deschutes River with a date of priority of September 1, 1899.

D. D. Tussing and Lillian E. Tussing, husband and wife, owners of the above described land, propose to transfer the water rights appurtenant to 13 acres thereof to 13 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, Township 17 South, Range 12 East, W. M., owned by George Windham.

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.

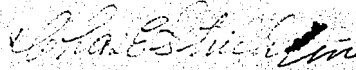
The Board of Directors of the Deschutes Reclamation and Irrigation Company have submitted their approval to the proposed transfer.

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 is hereby ORDERED that the proposed change in place of use of water be and the same hereby is approved, and that the water rights hereinbefore described as appurtenant to 13 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 16 South, Range 12 East, W. M., with a date of priority of September 1, 1899, be severed therefrom and simultaneously and without loss of priority transferred to 13 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, Township 17 South, Range 12 East, W. M.

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 23rd day of April, 1947.



CHAS. E. STRICKLIN
State Engineer

Noted on Decree,
Vol. 12, p. 290
Trsf. # T-21

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