

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF )  
FISHER C. LOGAN AND VIOLA S. LOGAN )  
AND BYRON F. LOGAN FOR THE APPROVAL )  
OF A CHANGE IN PLACE OF USE OF )  
WATER FROM DESCHUTES RIVER. )  
-----

ORDER  
APPROVING APPLICATION

On June 15, 1950, Fisher C. Logan and Viola S. Logan, his wife, and Byron F. Logan, a single man, Don T. Fahey and Barbara L. Isham filed an application for the approval of 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 February 10, 1928, 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, now Arnold Irrigation District, for the irrigation of, among other lands, 33 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 1, Township 18 South, Range 12 East, W. M., from Deschutes River with dates of priority of February 1, 1905 and April 25, 1905.

Fisher C. Logan, Viola S. Logan and Byron F. Logan, owners of the land above described, propose to transfer the water right appurtenant to 1 acre thereof, without loss of priority, to 1 acre within the following described tracts, to-wit:

Lots 3, 4, 5 and 6 in Block 104, First Addition to Bend Park, owned by Don T. Fahey;

Lots 7, 8, 19 and 20, Block 104, First Addition to Bend Park, owned by Barbara L. Isham;

all being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 33, Township 17 South, Range 12 East, W. M.

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.

All lands involved herein are within the boundaries of the Arnold Irrigation District and the Board of Directors of said district, on June 9, 1950, approved the proposed 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 1 acre in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 1, Township 18 South, Range 12 East, W. M., with dates of priority of February 1, 1905 and April 25, 1905, be severed therefrom and simultaneously and without loss of priority transferred to the following described tracts, to-wit:

Lots 3, 4, 5 and 6 in Block 104, First Addition to Bend Park, owned by Don T. Fahey;

Lots 7, 8, 19 and 20 in Block 104, First Addition to Bend Park, owned by Barbara L. Isham;

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before June 30, 1950.

Dated at Salem, Oregon, this 19th day of June, 1950.

  
CHAS. E. STRICKLIN  
State Engineer