

BEFORE THE STATE ENGINEER OF OREGON

Crook County

IN THE MATTER OF THE APPLICATION)
OF MILLS LAND & LIVESTOCK COMPANY)
FOR CHANGE IN POINT OF DIVERSION)
OF WATER FROM PAULINA CREEK.)
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O R D E R

APPROVING APPLICATION

On November 18, 1939, the Mills Land & Livestock Company of Paulina, Oregon, filed an application for the approval of a change in point of diversion of water from Paulina Creek.

By decree of the court for Crook County, dated April 13, 1914, in the matter of the determination of the relative rights to the use of the waters of Crooked River and its tributaries, a water right was recognized in the name of W. C. Congleton for the irrigation of 15 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 18 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 30 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, and 34 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, Township 16 South, Range 23 East, W. M., with a date of priority of 1889, and in the name of the Oregon & Western Colonization Company for the irrigation of, among other lands, 10 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 10 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 25 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 16 South, Range 23 East, W. M., with a date of priority of 1891. All of said lands are irrigated through an unnamed ditch, the point of diversion being located north 68° west 990 feet from the northwest corner of Section 5, Township 16 South, Range 23 East, W. M.

The applicant herein, owner of the above-described lands, proposes to change the present point of diversion to a point to be located 2,068 feet south and 1,144 feet east from the northwest corner of Section 5, Township 16 South, Range 23 East, W. M.

Notice by publication, as provided by Section 47-712, Oregon Code 1935 Supplement, was given in the Central Oregonian, a newspaper printed and having general circulation in Crook County, in the issues of December 1, 7, 14, 21, and 28, 1939.

No objections having been filed, it appears that the proposed change in point of diversion of water may be made without injury to existing rights.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from Paulina Creek, to-wit: From a point located north 68° west 990 feet from the northwest corner of Section 5, Township 16 South, Range 23 East, W. M., to a point to be located 2,068 feet south and 1,144 feet east from the northwest corner of Section 5, Township 16 South, Range 23 East, W. M., for the irrigation of 15 acres in $NE\frac{1}{4} NW\frac{1}{4}$, 40 acres in $NW\frac{1}{4} NW\frac{1}{4}$, 40 acres in $SW\frac{1}{4} NW\frac{1}{4}$, 18 acres in $SE\frac{1}{4} NW\frac{1}{4}$, 30 acres in $NE\frac{1}{4} SW\frac{1}{4}$, 40 acres in $NW\frac{1}{4} SW\frac{1}{4}$, 40 acres in $SW\frac{1}{4} SW\frac{1}{4}$, and 34 acres in $SE\frac{1}{4} SW\frac{1}{4}$, Section 8, Township 16 South, Range 23 East, W. M., with a date of priority of 1889, and 10 acres in $NE\frac{1}{4} NW\frac{1}{4}$, 10 acres in $NE\frac{1}{4} SW\frac{1}{4}$, 25 acres in $SE\frac{1}{4} SW\frac{1}{4}$, 2 acres in $NW\frac{1}{4} SE\frac{1}{4}$, and 13 acres in $SW\frac{1}{4} SE\frac{1}{4}$, Section 17, Township 16 South, Range 23 East, W. M., with a date of priority of 1891, be and the same hereby is approved.

Dated at Salem, Oregon, this 3rd day of February, 1940.

Noted on
Cert. 535 ^{and} 686
also Decree
Vol. 1, p. 317 ^{and} 420


CHAS. F. STRICKLIN
State Engineer