

BEFORE THE STATE ENGINEER OF OREGON.

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF JOHN W. STENKAMP AND FLORA L.)
STENKAMP FOR THE APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)
FROM DESCHUTES RIVER.)

O R D E R
APPROVING APPLICATION

On June 10, 1955 John W. Stenkamp and Flora L. Stenkamp filed an application 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.

In the supplemental findings of fact and order of determination of the State Engineer entered May 15, 1953, in the matter of the determination of the relative rights to the use of the water of Deschutes River and its tributaries, a water right was adjudicated in the name of Deschutes Reclamation and Irrigation Company for the irrigation of, among other lands, 17 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 13.5 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 14 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, Township 17 South, Range 12 East, W. M., with a date of priority of September 1, 1899, through the Swalley Canal from Deschutes River. Subsequently, on May 19, 1953, the State Engineer entered an order approving the application of Horace H. Flake and Dolores E. Flake, Benjamin S. Russell and Claudine J. Russell, Chester J. Siefarth and Mildred Siefarth, J. G. Chrisco and Lola Chrisco and John W. Stenkamp and Lorraine Stenkamp, wherein the water right appurtenant to 44.3 acres of the lands above described, was transferred without loss of priority to among other lands within the project, 26 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, Township 17 South, Range 12 East, W. M.

John W. Stenkamp and Flora L. Stenkamp, owners of the land to which the 26 acre water right was transferred, propose to transfer the water right appurtenant to 25 acres thereof without loss of priority to 2.5 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 4.5 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 2 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, and

6.5 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 2 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 4.5 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 3 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, Township 17 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 said section provides notice is not required on applications for a change in place of use of water only.

The Board of Directors of the Deschutes Reclamation and Irrigation Company has submitted its written approval to the above transfer.

The Deschutes Federal Savings and Loan Association has submitted a statement consenting to 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.

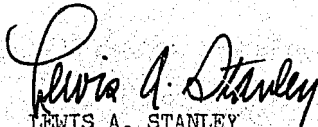
NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water be and the same hereby is approved and that the water right hereinbefore described as appurtenant to 25 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, Township 17 South, Range 12 East, W. M., be severed therefrom and simultaneously and without loss of priority transferred to 2.5 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 4.5 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 2 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, and 6.5 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 2 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 4.5 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 3 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, Township 17 South, Range 12 East, W. M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use upon the lands to which it is transferred hereby on or before October 1, 1957 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 the 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 Deschutes Reclamation and Irrigation Company at the time certificates are issued in the Deschutes River adjudication proceedings.

Dated at Salem, Oregon this 27th day of September 1955.


LEWIS A. STANLEY
State Engineer