

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF )  
WILLIAM JAMES, W. E. PILAND, BEND TRAP )  
CLUB, RALEIGH J. WEISER AND VALLARD N. )  
STOKOE FOR THE APPROVAL OF A CHANGE IN )  
PLACE OF USE OF WATER FROM DESCHUTES )  
RIVER. )  
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ORDER  
APPROVING APPLICATION

On June 12, 1950, William James, W. E. Piland, Bend Trap Club, a corporation, Raleigh V. Weiser and Vallard N. Stokoe, 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, and by reason of supplementary transfers of water rights, the Arnold Irrigation Company, now Arnold Irrigation District, has a right to the use of the waters of Deschutes River for the irrigation of, among other lands, 20 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 20 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 25 acres in the E $\frac{1}{2}$  SE $\frac{1}{4}$ , Section 23, Township 18 South, Range 11 East, W. M., with dates of priority of February 1, 1905 and April 25, 1905.

William James, owner of 50 acres of the land above described, to-wit: 10 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 20 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 20 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 23, Township 18 South, Range 11 East, W. M., proposes

to transfer the water rights appurtenant thereto, without loss of priority, to the following described tracts, to-wit:

15 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 9, Township 18 South, Range 12 East, W. M., owned by W. E. Piland;

10 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 9, Township 18 South, Range 12 East, W. M., owned by Bend Trap Club;

20 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  and 3 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 22, Township 18 South, Range 12 East, W. M., owned by Raleigh V. Weiser; and

2 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 34, Township 17 South, Range 12 East, W. M., being that portion of said tract lying south of the Central Oregon highway, and owned by Vallard N. Stokoe.

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 1, 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 10 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 20 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  and 20 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 23, Township 18

South, Range 11 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:

15 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 9, Township 18 South, Range 12 East, W. M., owned by W. E. Piland;

10 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 9, Township 18 South, Range 12 East, W. M., owned by Bend Trap Club;

20 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  and 3 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 22, Township 18 South, Range 12 East, W. M. owned by Raleigh V. Weiser; and

2 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 34, Township 17 South, Range 12 East, W. M., being that portion of said tract lying south of the Central Oregon highway, and owned by Vallard N. Stokoe.

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 22nd day of June, 1950.

  
CHAS. E. STRICKLIN  
State Engineer