

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF ROBERT W. SWENSEN AND ADDIE)
M. SWENSEN FOR THE APPROVAL OF)
A CHANGE IN USE AND PLACE OF USE)
OF WATER FROM DESCHUTES RIVER.)

O R D E R
APPROVING APPLICATION

On April 17, 1950, Robert W. Swensen and Addie M. Swensen, husband and wife, of Route 1, Bend, Oregon, filed an application for the approval of a change in use and place of use of water from Deschutes River, pursuant to the provisions of Section 116-606, O. C. L. A.

In the matter of the determination of the relative rights to the use of the waters of Deschutes River and its tributaries, an inchoate water right was adjudicated in the name of the Central Oregon Irrigation District for the irrigation of, among other lands, 10 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 17 South, Range 13 East, W. M.

The applicants herein, owners of 1 acre of the land above described, propose to transfer the water right appurtenant thereto for irrigation purposes, without loss of priority, to that of domestic purposes, including the irrigation of a small garden and lawn in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, Township 18 South, Range 12 East, W. M.

Notice by publication, as provided by Section 116-606, O. C. L. A., was given in the Redmond Spokesman, a newspaper printed and having general circulation in Deschutes County, for a period of at least three weeks and not less than one publication each week, being the issues of April 27 and May 4

and 11, 1950. The time for hearing upon such application, as fixed in the notice, namely: June 20, 1950, at 10:00 o'clock a. m., was not less than 30 days after the last publication of said notice.

The Board of Directors of the Central Oregon Irrigation District, at a meeting held April 15, 1950, approved the proposed change in use and place of use of water.

No objections having been filed, and it appearing that the proposed change in use and 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 use and place of use of water be and the same hereby is approved, and that the water right heretofore described as appurtenant to 1 acre in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, Township 17 South, Range 13 East, W. M., for irrigation purposes be severed therefrom and simultaneously and without loss of priority transferred to the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, Township 18 South, Range 12 East, W. M., and such water be used for domestic purposes including the irrigation of a small garden and lawn.

It is FURTHER ordered that the quantity of water used for domestic purposes including the irrigation of a small garden and lawn, heretofore used for irrigation of said 1 acre, shall be limited to the duty of water fixed for irrigation purposes by the decree of a Circuit Court for Deschutes County, Oregon, dated March 24, 1933, in the matter of the determination of the relative rights to the use of the waters of Deschutes River and its tributaries, or such just data part thereof as is available.

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

Dated at Salem, Oregon, this 26th day of June, 1950.



CHARS. E. STRICKLIN
State Engineer