

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION )  
OF GEORGE RASTOVICH FOR THE APPRO- )  
VAL OF A CHANGE IN PLACE OF USE )  
OF WATER FROM DESCHUTES RIVER. )  
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O R D E R  
APPROVING APPLICATION

On June 22, 1950, George Rastovich 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, the Arnold Irrigation Company, now Arnold Irrigation District, was adjudicated a right to the use of the waters of Deschutes River for the irrigation of, among other lands, 20 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 34 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 12, Township 18 South, Range 12 East, W. M., with dates of priority of February 1, 1905 and April 25, 1905. Other rights under the Arnold Irrigation District have been transferred to these two forty acre tracts, but such water rights are not involved in this transfer.

The applicant herein, owner of the land above described, proposes to transfer the water right appurtenant to 22 acres thereof, to-wit: 17 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 5 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , said Section 12, without loss of priority, to 14 acres in Lot 6 (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) and 8 acres in Lot 7 (SW $\frac{1}{4}$  SW $\frac{1}{4}$ ), Section 6, Township 18 South, Range 13 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.

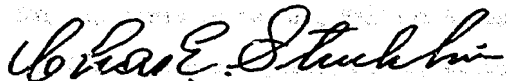
All lands involved herein are within the boundaries of the Arnold Irrigation District and the Board of Directors of said district, on June 19, 1950, approved the proposed change in place of use of water.

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 17 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 5 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 12, Township 16 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 14 acres in Lot 6 (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) and 8 acres in Lot 7 (SW $\frac{1}{4}$  SW $\frac{1}{4}$ ), Section 6, Township 18 South, Range 13 East, W. M.

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 27th day of June, 1950.



CHAS. E. STRICKLIN  
State Engineer