

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF WARREN WILSON FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM DESCHUTES RIVER)

O R D E R
APPROVING APPLICATION

On March 21, 1962, Warren Wilson of Bend, Oregon, filed an application in the office of the State Engineer 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.

By decree of the Circuit Court for Deschutes County, Oregon, entered September 30, 1958, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Deschutes River and its Tributaries, a water right was established in the name of the Central Oregon Irrigation District for the irrigation of, among other lands, 32 acres in Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 31, Township 17 South, Range 13 East, W. M., with a date of priority of October 31, 1900; said 32 acres being tabulated in the name of John Holly. Subsequently, on March 26, 1956, the State Engineer entered an order approving an application of Warren Wilson for a change in place of use of water wherein a water right appurtenant to 20 acres of the land above described was transferred to other lands within the project. Also, on March 31, 1961, the State Engineer entered an order approving another application of Warren Wilson for a change in place of use of water wherein a water right appurtenant to 2.0 acres of the land above described was transferred to other lands within the project.

The applicant herein, owner of 2.0 acres of the land above described, proposes to transfer the water right therefrom, without loss of priority, to 2.0 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 17 South, Range 13 East, W. M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water only.

The lands involved herein are within the boundaries of the Central Oregon Irrigation District and the Board of Directors of said district approved the proposed change in place of use of water at a regular meeting held December 6, 1961.

No objections having been filed and it appearing that the proposed change in place of use of water from Deschutes River 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 is approved and that the water right hereinbefore described as appurtenant to 2 acres in Lot 4 (SW $\frac{1}{2}$ SW $\frac{1}{2}$), Section 31, Township 17 South, Range 13 East, W. M., be severed therefrom and simultaneously and without loss of priority transferred to 2.0 acres in the NW $\frac{1}{2}$ SW $\frac{1}{2}$, Section 31, Township 17 South, Range 13 East, W. M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1963, 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 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 Central Oregon Irrigation District at the time certificate is issued to the District confirming other transfers within the District.

Dated at Salem, Oregon, this 3rd day of April, 1962.

*Noted on Decree
Vol 16, p. 60
Cert. 29052*

LEWIS A. STANLEY
State Engineer

By *Max H. Rogers*
Max H. Rogers, Deputy