

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION )  
OF LESLIE W. HAGERTY FOR THE AP- )  
PROVAL OF A CHANGE IN PLACE OF )  
USE OF WATER FROM DESCHUTES RIVER. )  
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ORDER  
APPROVING APPLICATION

On June 30, 1950, Leslie W. Hagerty of Route 3, Bend, Oregon, 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.

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, 39 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  and 39 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 10, Township 16 South, Range 12 East, W. M.

The applicant herein, owner of 7 acres of the land above described, to-wit: 3 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  and 4 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 10, Township 16 South, Range 12 East, W. M., proposes to transfer the water right appurtenant thereto, without loss of priority, to 7 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 6, Township 16 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 Central Oregon Irrigation District, except the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 6, Township 16 South,

Range 13 East, W. M., and appropriate proceedings have been initiated to include said NE $\frac{1}{4}$  SW $\frac{1}{4}$  into the district.

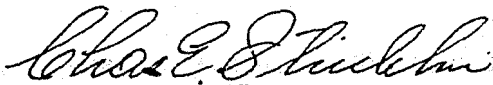
The Board of Directors of the Central Oregon Irrigation District, at a regular meeting held June 7, 1950, approved the proposed change in place of use of water.

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 3 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  and 4 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 10, Township 16 South, Range 12 East, W. M., be severed therefrom and simultaneously and without loss of priority transferred to 7 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 6, Township 16 South, Range 13 East, W. M., provided that the proceedings for the inclusion of the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , said Section 6 into the district are completed on or before the time expires for the filing of proof of appropriation of the completion of the inchoate water rights of the Central Oregon Irrigation District.

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 30th day of June, 1950.



CHAS. E. STRICKLIN  
State Engineer