

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF DESCHUTES COUNTY, OREGON AND)
A. C. SHOLES FOR THE APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)
FROM DESCHUTES RIVER.)

O R D E R

APPROVING APPLICATION

On June 29, 1950, Deschutes County, Oregon and A. C. Sholes 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 an inchoate right to the use of the waters of Deschutes River, for the irrigation of, among other lands, 40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, Township 18 South, Range 12 East, W. M., with dates of priority of February 1, 1905 and April 25, 1905.

Deschutes County, Oregon, owner of the land above described, proposes to transfer the water right appurtenant to 12 acres thereof, without loss of priority, to 10 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, and 2 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, Township 18 South, Range 12 East, W. M., owned by A. C. Sholes.

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.

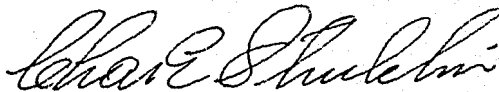
All lands involved herein are within the boundaries of the Arnold Irrigation District and the Board of Directors of said district, on June 26, 1950, approved the proposed change in place of use of water.

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 12 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, Township 18 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 10 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 2 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, Township 18 South, Range 12 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 30th day of June, 1950.



CHAS. E. STRICKLIN
State Engineer