

BEFORE THE STATE ENGINEER OF OREGON

Wasco County

IN THE MATTER OF THE APPLICATION)  
OF S. E. ENDERSBY FOR THE APPRO- )  
VAL OF A CHANGE IN PLACE OF USE )  
OF WATER FROM LOST AND BOULDER )  
CREEKS. )  
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O R D E R

APPROVING APPLICATION

On August 30, 1950, S. E. Endersby of Maupin, Oregon, filed an application for the approval of a change in place of use of water from Lost and Boulder Creeks, pursuant to the provisions of Section 116-606, O. C. L. A.

By decree of the Circuit Court for Wasco County, Oregon, dated November 30, 1923, in the matter of the determination of the relative rights of the various claimants to the use of the waters of White River and its tributaries, a water right was adjudicated in the name of the Lost and Boulder Ditch Company for domestic and stock purposes and the irrigation of, among other lands, 5 acres in the SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Section 13, Township 5 South, Range 11 East, W. M., with a date of priority of 1901.

The applicant herein, owner of the land above described, proposes to transfer the water right therefrom, without loss of priority, to 5 acres in the SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Section 2, Township 5 South, Range 11 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.

The Board of Directors of the Lost and Boulder Ditch Company has submitted its approval of 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 5 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 13, Township 5 South, Range 11 East, W. M., be severed therefrom and simultaneously and without loss of priority transferred to 5 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 2, Township 5 South, Range 11, East, W. M.

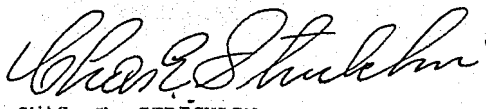
It is FURTHER ORDERED that complete application of water to beneficial use on the land to which the water is transferred hereby shall be made on or before October 1, 1952, or such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use upon the land to which the water is transferred hereby, a certificate of water right shall be issued to the Lost and Boulder Ditch Company and that the certificate of water right hereinbefore issued to said company and recorded at Page 14586, Volume 12, State Record of Water Right Certificates be cancelled.

Dated at Salem, Oregon, this 11th day of September, 1950.

Notation made on  
Vol. 7 p 216  
Cert. 14586

L-24

  
CHAS. E. STRICKLIN  
State Engineer