

# Water Right Details Are Discussed By Laurgaard

## PROJECT ENGINEER GIVES INFORMATION AND DECISIONS IMPORTANT TO CONTRACT HOLDERS AND OTHERS---LAND BOARD DEFINES "VESTED RIGHTS"

LAILDLAW, Oct. 6.—For the information of settlers on the Tumalo Project, and others interested in its water rights problems, Project Engineer G. Laurgaard has made the following statement defining the status of settlers' rights under his general jurisdiction:

"In Section 3, under the heading 'Lien', there is a clause to the effect that said Board shall also designate the price to be paid for the sale of water rights to each smallest legal subdivision or farm unit of private lands within said project, and shall make all necessary contracts for the sale and delivery of water to said private lands. The total lien on State and Carey Act lands and the total amount to be realized from private lands shall together be so fixed as to insure the return to the State of Oregon of all money expended by the State in the reclamation of the lands in said project, and in addition thereto not less than \$5 per acre for the reclamation fund. In fixing said lien the Board shall take into account the condition of the water right for each smallest legal subdivision, and no additional lien shall be placed upon land which now has a complete vested water right. Any person who holds a contract with the Columbia Southern Irrigation Company, or its successors in interest, for any tract in the project may execute a new contract with the State, for the reclamation, under the provisions of this act, of the land described in his original contract with said company, receiving credit thereon for all money paid to said company under said original contract; or may surrender his contract and receive, in cash, the full amount of money paid to said company on such contract, but no such refund payments shall be made by the Board prior to December 1, 1914. It will be noticed that the Board must take into consideration the status of the water rights on each forty acre tract and the law provides that no additional lien shall be placed upon lands which now have a complete, vested water right. This is a very important clause in the Act and the Desert Land Board has ruled that in determining what constitutes a complete, vested water right on the project, the five clauses outlined in my circular letter must be considered. The Board also ruled that the word 'now' means before the season of 1912. In other words, lands which have been irrigated previous to this season will be considered by the Board as having a complete, vested water right inasmuch as it would have been impossible to raise a crop or put water to beneficial use since the close of the 1912 season, February, 1913, when the law was passed, or June 3rd, 1913, when the law went into effect. Old water users under the project will be charged no additional lien for lands having a complete, vested water right, providing, however, that at least \$14.75 per acre has been paid by the settlers for the number of acres for which he is allowed a complete water right, and provided further that he has paid maintenance fees on the amount of land he has irrigated prior to the season of 1913. An opportunity will be given each water user to pay maintenance fees on the total amount that he has irrigated previous to this year, this number of acres having been determined by actual survey during the past summer. For any other lands than those having a complete, vested water right, new lien will apply, except that credit will be allowed for all amounts previously paid. Contract holders who have not irrigated any land previous to the season of 1913, have the option of executing a new contract under the new project for the new lien, and receiving credit for the amount that has been paid on the old contract, or they may surrender their old contract for cancellation and receive in cash, some time after December 1st, 1914, the full amount that has been paid on the principal of the contract. It is very important that the old water users under the project decide in the very near future whether they desire to come in under the new project according to the rules and regulations as laid down by the Desert Land Board, or whether they are perfectly satisfied with their old water rights and wish to stay under the old project and old ditches. From present conditions, it appears that there will be some money available this fall for the construction of lateral ditches, but it will be absolutely impossible for the Project Engineer to build any laterals to serve old water users unless a decision is on file in the project office to the effect that they wish to come under the new project. It would be greatly appreciated if all the old water users who have not already done so, would call at the project office in the very near future to ascertain the status of their water rights and under what conditions they can come in under the new project. 'Vested Rights' Defined. In a circular letter to settlers Mr. Laurgaard quoted the following minutes from the meeting of the Desert Land Board of July 25, defining the Board's stand regarding vested rights: 'After full discussion the following ruling was made defining the Board's understanding of a complete vested water right as mentioned in Chapter 119, Laws of Oregon, 1913: 'A complete vested water right is: '1—An adjudicated vested water right under the Tumalo Decree for which annual maintenance fee has

**MORE WARRANTS CALLED.** County Treasurer Jordan has issued a call for registered warrants up to and including registered number 1495, the time of payment being Thursday, October 9. With this payment made, Mr. Jordan says, all but \$10,000 of the registered warrants in the general fund will be paid and all but \$3000 of the road fund warrants.

**NOTICE FOR PUBLICATION.** Department of the Interior, U. S. Land Office at The Dalles, Oregon, September 9, 1913. Notice is hereby given that Martin E. Rogers, of Laidlaw, Oregon, who on September 24, 1909, made desert land entry, No. 05315, for Lots 2, 3, SE 1/4 NW 1/4, SW 1/4 NE 1/4, Section 5, Township 17, S., Range 12, E., Wil-

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lamette Meridian, has filed notice of intention to make final proof, to establish claim to the land above described, before H. C. Ellis, U. S. Commissioner, at his office at Bend, Oregon, on the 23 day of October, 1913.  
Claimant names as witnesses: James H. Benham, of Laidlaw, Oregon, Wilbur X. Hummel, of Laidlaw, Oregon, Albert Harryman, of Bend, Oregon, A. Sam Collins, of Bend, Oregon.  
H. FRANK WOODCOCK,  
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### REAL ESTATE TRANSFERS

Deeds That Have Recently Been Filed With County Clerk For Record.

(Special to The Bulletin.)  
PRINEVILLE, Oct. 6.—The following deeds have been filed with the county clerk for record:

Laidlaw Townsite Co. to D. M. Collingwood, it 20, blk 19, Laidlaw, \$150.

W. A. Laidlaw to J. S. Scott, 1/4 NW 1/4, 1/4 SE 1/4, 1/4 SW 1/4, 1/4 NE 1/4, 1/4 NW 1/4, 1/4 SE 1/4, 1/4 SW 1/4, 1/4 NE 1/4, 16-15-11, 1/2 and 1/4 SE 1/4, 16-15-12  
Geo. W. Snyder to John Byers, SW 1/4 NW 1/4, SE 1/4 SW 1/4, SW 1/4 SE 1/4, 2-17-11.

Geo. W. Wimer to John Byers, SE 1/4 NW 1/4, 29; NW 1/4 NW 1/4, W 1/2 SE 1/4 of NW 1/4, 22-16-11. \$5500.

John Byers to State of Oregon, SE 1/4 SW 1/4, 29; NW 1/4 NW 1/4, W 1/2 SE 1/4 of NW 1/4, 22-16-11. \$6000.

Lytie Townsite Co. to L. C. Sizemore, its 1-2, blk 2, Lytie.  
Minerva M. Malick to Camilla Oleson, it 5, blk 123, 1st Add Bend Park.

L. D. Wiest to Wm. F. Machus, it 14, blk 10, Wiestoria.  
Kenwood Promotion Co. to T. G. Fee, its 1-16-17, blk 15, Kenwood.

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