

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
KENNETH C. GREGORY (ARNOLD IRRIGATION) ORDER APPROVING
DISTRICT) FOR APPROVAL OF A CHANGE) TRANSFER 6159
IN PLACE OF USE OF WATER)

On October 20, 1988, an application was filed in the office of the Water Resources Director by Kenneth C. Gregory, for approval of a change in place of use of water from the 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 the Deschutes River and its Tributaries, a water right was allowed in the name of Arnold Irrigation District for the use of the waters of the Deschutes River for irrigation of, among other lands, a certain 1.1 acres in the SE1/4 SW1/4 (tax lot 1000) and 0.3 acre in the SE1/4 SW1/4 (tax lot 1200), Section 8, Township 18 South, Range 12 East, WM, with dates of priority of February 1, 1905 and April 25, 1905, as evidenced by the certificate recorded at page 29053, Volume 21, State Record of Water Right Certificates. These lands also have a supplemental right under Permit 23256 to the use of water stored in Crane Prairie Reservoir with a date of priority of February 28, 1913. These lands are irrigated by means of the Arnold Canal.

The applicant herein, owner of the lands described above, proposes to transfer the water right therefrom to a certain 1.4 acres in the SE1/4 NW1/4 (tax lot 2800), Section 19, Township 18 South, Range 12 East, WM.

The lands involved herein are within the boundaries of the Arnold Irrigation District and the Board of Directors of said District approved the proposed change in place of use of water.

Robert F. Main, Jr., Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it is hereby ORDERED that the proposed change in place of use is approved, without loss of priority.

It is FURTHER ORDERED that the subject water right is hereby severed from the place of use described in Certificate 29053, and shall be beneficially used as authorized in this order on or before October 1, 1990.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which the water is transferred hereby, the change of water right shall be considered perfected, and at a later date, a certificate of water right shall be issued to Arnold Irrigation District confirming this and other changes within the District, and superseding Certificate 29053.

Dated at Salem, Oregon this 18 day of April, 1989.

John Borden, Deputy, for W.H. Young
WILLIAM H. YOUNG
Director

NOTE: Approval of the water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.