

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF ARNOLD IRRIGATION DISTRICT)
(C. W. HUTCHINS) FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. H-178

On November 1, 1967, Arnold Irrigation District filed an application in the name of C. W. Hutchins for the approval of a change in place of use of water from 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 Deschutes River and Its Tributaries, a water right was established in the name of U. I. Keyser for the irrigation of, among other lands, 1.0 acre in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 18 South, Range 12 East, W.M., with dates of priority of February 1, 1905 and April 25, 1905, This right was confirmed by certificate recorded at page 29053, Volume 21, State Record of Water Right Certificates.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 0.5 acre in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 0.5 acre in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 18 South, Range 12 East, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water only.

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 at a regular meeting held October 30, 1967.

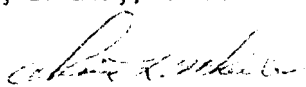
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 1.0 acre in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, 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 0.5 acre in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 0.5 acre in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 18 South, Range 12 East, W.M., being within the following described property: A portion of Tracts 6 and 7, Blakley Heights, Deschutes County, Oregon, more particularly described as follows: Beginning at the NE corner of Tract 6: thence S 63° 00' E 73.14 ft; thence S 14° 47' 40" W 267.05 ft; thence N 89° 24' 20" W 336.34 ft; thence N 5° 35' 40" E 69.59 ft; thence N 20° 49' E 287.06 ft; thence due E 133.36 ft; thence S 63° 00' E 110.08 ft to the point of beginning.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1969.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use on the lands to which the water is transferred hereby, certificate of water right shall be issued to Arnold Irrigation District at the time certificate is issued to the District confirming other transfers within the District.

Dated at Salem, Oregon, this 10th day of July, 1968.


CHRIS L. WHEELER
State Engineer