

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
M & W INVESTMENT COMPANY (ARNOLD)
IRRIGATION DISTRICT) FOR APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)
FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 3644

On April 25, 1977, M & W Investment Company filed an application in the office of the Water Resources Director for 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 Deschutes River and its Tributaries, a water right was established in the name of Arnold Irrigation District for the use of the waters of Deschutes River for the irrigation of, among other lands, 18.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 10.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, Township 18 South, Range 13 East, W.M., being tabulated in the name of William Newton at Volume 16, page 392, with dates of priority of February 1, 1905 and April 25, 1905, as evidenced by certificate of water right recorded at page 29053, Volume 21, State Record of Water Right Certificates. These lands also have a supplemental right under permit No. 23256 to the use of the 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 above described, proposes to transfer the water right therefrom, without loss of priority, to a certain 28.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 20 (John Sullivan).

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 May 6, 1975.

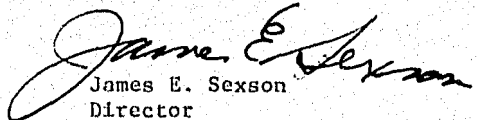
objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

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

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that upon receipt of 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, a certificate of water right will be issued to the Arnold Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon, this 15th day of August, 1977.


James E. Sexson
Director