

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF)
DONALD R. AND ELIZABETH J. GUILLEY FOR)
THE APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. G-60

On June 7, 1965, Donald R. and Elizabeth J. Guiley filed an application in the office of the State Engineer 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 the Arnold Irrigation District for the irrigation of, among other lands, 28.0 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 31.5 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Township 18 South, Range 12 East, W.M., tabulated in the name of Lee Verley, with dates of priority of February 1, 1905 and April 25, 1905. 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, 1915.

The applicants herein, owners in fee of 9.0 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 7.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of the lands above described, propose to transfer the water right therefrom, without loss of priority, to 16.0 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, 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.

Irene E. Exner, owner of record of the land from which it is proposed to transfer water, has submitted written approval to the change in place of use of water.

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 regular meeting held June 1, 1965.


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 9.0 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 7.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Township 18 South, Range 12 East, W.M., be severed therefrom and simultaneously and without loss of priority transferred to 16.0 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 18 South, Range 12 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1966.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use on the land 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 7th day of December, 1965.


CHRIS L. WHEELER
State Engineer