

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF )  
A. M. AND MARGARET I. TURNER FOR THE )  
APPROVAL OF A CHANGE IN PLACE OF )  
USE OF WATER FROM DESCHUTES RIVER )  
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ORDER APPROVING  
TRANSFER NO. T-66

On May 20, 1965, A. M. and Margaret I. Turner filed an application in the office of the State Engineer for the approval of 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 Waters of Deschutes River and its Tributaries, a water right was established in the name of Arnold Irrigation District for the irrigation of, among other lands, 5.0 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 18, Township 18 South, Range 13 East, W.M., tabulated in the name of Alvin Turner, with priority dates of February 1, 1905 and April 25, 1905. This land also has 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.

The applicants herein propose to transfer the water right appurtenant to the land above described, without loss of priority, to 1.0 acre in the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 12, 2.0 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 1.0 acre in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 1.0 acre in the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 13, all in 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 herein involved 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 on May 4, 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 5.0 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 18, Township 18 South, Range 13 East, W.M. be severed therefrom and simultaneously and without loss of priority transferred to 1.0 acre in the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 12, 2.0 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 1.0 acre in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 1.0 acre in the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 13, all in 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 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 7th day of December, 1965.



CHRIS L. WHEELER  
State Engineer