

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION)
OF DAVID FRANKE)
(ARNOLD IRRIGATION DISTRICT) FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER _ _ _ _ _)

ORDER APPROVING
TRANSFER NO. 3835

On November 9, 1977, an application was filed in the office of the Water Resources Director by David Franke 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 Waters of Deschutes River and Its Tributaries, a water right was allowed in the name of Arnold Irrigation District for the use of the waters of Deschutes River for irrigation of, among other lands, a certain 3.0 acres located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, Township 18 South, Range 12 East, W. M.; being tabulated in the name of E. I. Shaw at Volume 16, page 25, with dates of priority of February 1, 1905 and April 25, 1905, as evidenced by certificate 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 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 1.2 acres located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, and 1.8 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 18 South, Range 12 East, W. M.

The lands involved herein are within the boundaries of the Arnold Irrigation District and said District approved the proposed change in place of use of water at a regular meeting held November 8, 1977.

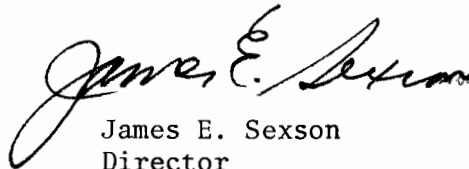
No objection having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as 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, 1981.

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, a certificate of water right shall be issued to Arnold Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon this 4th day of December, 1979.



James E. Sexson
Director