

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
BRIAN HEMMINGSON (ARNOLD IRRIGATION)
DISTRICT) FOR APPROVAL OF A CHANGE)
IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 5562

On December 11, 1984, an application was filed in the office of the Water Resources Director by Brian Hemmingson 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 1.0 acre in NW 1/4 SE 1/4, Section 8, Township 18 South, Range 12 East, WM, being tabulated in the name of H.C. Gilcher in Volume 16, page 21, with dates of priority of February 1, 1905 and April 25, 1905, as evidenced by the certificate recorded at page 29053, Volume 21, State Record of Water Right Certificates. These lands also have a supplemental right under Permit 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 described above, proposes to transfer the water right therefrom to a certain 1.0 acre in NE 1/4 NE 1/4, Section 26, Township 18 South, Range 12 East, WM.

The lands involved herein are within the boundaries of the Arnold Irrigation District and said District has approved the proposed change in place of use of water.

Robert F. Main, Jr., Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

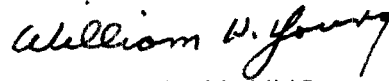
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1986.

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, the change of water right shall be considered perfected, and at a later date a certificate of water right shall be issued to Arnold Irrigation District confirming this and other changes within the District, and superseding Certificate 29053.

Dated at Salem, Oregon this 28th day of January, 1985.



WILLIAM H. YOUNG
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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