

BEFORE THE WATER RESOURCES OF OREGON
DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION)	
OF FRED MEYERS (DESCHUTES RECLAMATION)	ORDER APPROVING
AND IRRIGATION COMPANY) FOR APPROVAL OF)	TRANSFER 5115
CHANGES IN USE AND PLACE OF USE OF WATER)	

On September 14, 1982, an application was filed in the office of the Water Resources Director by Fred Meyers for approval of changes in use and 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 Deschutes Reclamation and Irrigation Company for use of the waters of Deschutes River for commercial use of the equivalent of 0.5 acre in NE 1/4 NE 1/4, 1.0 acre in SE 1/4 NE 1/4, Section 20, and 1.0 acre in NW 1/4 NW 1/4, Section 21, Township 17 South, Range 12 East, WM, with a date of priority of September 1, 1899, being tabulated in the name of Fred Meyers in Volume 16, page 167, as evidenced by the certificate recorded at page 29054, Volume 21, State Record of Water Right Certificates, thence modified by Transfer M-214.

Water for the said right is diverted through the Swalley Canal.

The applicant herein, owner of the lands above described, proposes to change the place of use and use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 2.5 acres in NW 1/4 SW 1/4, Section 21, Township 16 South, Range 12 East, WM (McLagan).

The lands involved herein are within the boundaries of the Deschutes Reclamation and Irrigation Company and the Board of Directors of said Company has approved the proposed changes in use and place of use of water.

Notice of the application, pursuant to ORS 540.520(2), was published in The Bulletin, a newspaper printed and having general circulation in Deschutes County, Oregon, for a period of three weeks in the issues of October 13, 20 and 27, 1982.

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

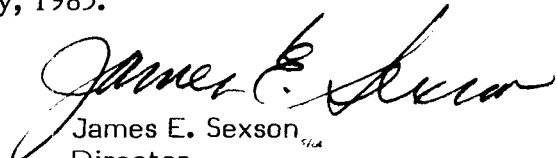
No objections having been filed and it appearing that the proposed changes in use and place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested changes in use and place of use of water, 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, 1984.

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 Deschutes Reclamation and Irrigation Company confirming this and prior changes within the Company.

Dated at Salem, Oregon this 5th day of January, 1983.


James E. Sexson
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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