

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
BENNY AND MARY DE GAETANO (SQUAW) ORDER APPROVING
CREEK IRRIGATION DISTRICT) FOR) TRANSFER 5591
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER)

On February 20, 1985, an application was filed in the office of the Water Resources Director by Benny and Mary De Gaetano for approval of a change in place of use of water from Squaw Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Crook County, entered May 1, 1911, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Squaw Creek and Its Tributaries, a water right, tabulated at page 127, Volume 1, was allowed in the name of Alex Levering, for irrigation of, among other lands, a certain 23.0 acres in NE 1/4 NE 1/4 and 37.0 acres in NW 1/4 NE 1/4, Section 31, Township 15 South, Range 11 East, WM, with a date of priority of November, 1904, as evidenced by the certificate recorded at page 302, Volume 1, State Record of Water Right Certificates.

The applicants herein, owners of the lands above described, propose to transfer the water right therefrom to a certain 5.0 acres in SE 1/4 NE 1/4, 15.0 acres in NE 1/4 NW 1/4, 5.0 acres in SE 1/4 NW 1/4, 21.0 acres in NE 1/4 SE 1/4 and 14.0 acres in NW 1/4 SE 1/4, Section 26, Township 15 South, Range 10 East, WM.

The lands involved herein are within the boundaries of the Squaw Creek Irrigation District and the Board of Directors of said District approved the proposed change in place of use of water at a regular meeting.

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.

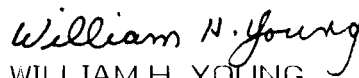
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use 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 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 Squaw Creek Irrigation District confirming this and other changes within the District, and superseding Certificate 302.

Dated at Salem, Oregon, this 25 day of March, 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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