

STATE OF OREGON

COUNTY OF DESCHUTES

ORDER APPROVING A CHANGE IN PLACE OF USE

Pursuant to ORS 540.580, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 8154 submitted by

SWALLEY IRRIGATION DISTRICT
P.O. BOX 5126
BEND, OREGON 97708-5126.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for DESCHUTES County as evidenced by PORTIONS of Certificate 74145. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 282. The date of priority is SEPTEMBER 1, 1899.

The right allows the use of THE DESCHUTES RIVER, a tributary of THE COLUMBIA RIVER, for IRRIGATING 29.4 ACRES AND 3.0 ACRES -EQUIVALENT FOR POND MAINTENANCE.

The authorized place of use is located as follows:

TWP	RNG	SEC	QTR/QTR	TAXLOT	USE	ACRES
16S	12E	10	SW¼ NE¼	100	IRR	0.80
16S	12E	10	SE¼ NE¼	100	IRR	0.80
16S	12E	10	SE¼ NE¼	100	POND	2.40

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is a final order in other than a contested case. Under the provisions of OAR 137-004-0080, a person entitled to judicial review of this order may petition for reconsideration of the order. The petition shall set forth specific grounds for reconsideration. The petition for reconsideration must be filed within 60 days after the date of the order.

Pursuant to ORS 536.075(1), this order is subject to judicial review under ORS 183.484. Any party affected by this order may appeal the order to the Circuit Court of Marion County or to the circuit court of the county in which all or part of the property affected by the order is situated. Review shall be as provided in ORS 536.075. A petition for judicial review shall be filed within 60 days from the date the order is served, or if a petition for reconsideration has been filed, then within 60 days following the date the order denying such petition is served. The petition shall state the facts showing how the petitioner is adversely affected by the order and the ground or grounds upon which the petitioner contends the order should be reversed or remanded.

Superseded
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Authorized place of use continued:

<u>TWP</u>	<u>RNG</u>	<u>SEC</u>	<u>QTR/QTR</u>	<u>TAXLOT</u>	<u>USE</u>	<u>ACRES</u>
16S	12E	10	NE¼ SE¼	101	IRR	0.70
16S	12E	10	NW¼ SE¼	102	IRR	1.60
17S	12E	21	NW¼ NE¼	200	IRR	8.50
17S	12E	21	SW¼ NE¼	1400	IRR	7.30
17S	12E	21	SW¼ NE¼	1400	POND	0.60
17S	12E	21	SW¼ NE¼	1403	IRR	3.40
17S	12E	21	NW¼ SE¼	100	IRR	3.30
17S	12E	22	NE¼ SE¼	1500	IRR	1.00
17S	12E	22	NW¼ SE¼	1500	IRR	2.00

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

The applicant proposes to change the place of use to:

<u>TWP</u>	<u>RNG</u>	<u>SEC</u>	<u>QTR/QTR</u>	<u>TAXLOT</u>	<u>USE</u>	<u>ACRES</u>
16S	12E	10	SW¼ NE¼	400	IRR	1.60
16S	12E	10	SW¼ NE¼	400	POND	2.40
16S	12E	10	NE¼ SW¼	800	IRR	1.60
16S	12E	10	NW¼ SE¼	102	IRR	0.70
16S	12E	32	SW¼ SW¼	709	IRR	1.50
16S	12E	32	SW¼ SW¼	714	IRR	1.50
16S	12E	33	SW¼ NE¼	104	IRR	0.48
16S	12E	33	NW¼ SE¼	104	IRR	3.52
17S	12E	04	NW¼ NE¼	217	IRR	1.30
17S	12E	04	SW¼ NE¼	210	POND	0.25
17S	12E	04	SW¼ NE¼	218	IRR	6.70
17S	12E	04	SW¼ NE¼	218	POND	0.35
17S	12E	08	NW¼ SW¼	1000	IRR	2.00
17S	12E	21	NE¼ NW¼	900	IRR	4.89
17S	12E	21	NW¼ NW¼	900	IRR	1.19
17S	12E	21	SW¼ NW¼	900	IRR	0.20
17S	12E	21	SE¼ NW¼	900	IRR	0.22
17S	12E	21	NW¼ SW¼	900	IRR	2.00

