

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION  
OF E. BARTLEMAY FOR THE APPROVAL  
OF A CHANGE IN PLACE OF USE OF WATER  
FROM SQUAW CREEK

ORDER APPROVING  
TRANSFER NO. 2726

On October 26, 1972, E. Bartlemay filed an application in the office of the Water Resources Director for the 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 Deschutes County, Oregon, in determination of the relative rights to the use of the waters of Squaw Creek and its Tributaries, predating the effective date of the Water Rights Act, as modified by administrative orders of the Water Resources Department recorded at Pages 132, 432 and 438, Volume 3, Special Order Record, rights exist within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 12, Township 15 South, Range 10 East, W.M., for irrigation of 10.0 acres with a priority date of November 11, 1895, 25.0 acres with a priority date of 1895, and 5.0 acres with a priority date of 1904; and within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 12 for irrigation of 5.0 acres with a priority date of 1895 and 20.5 acres with a priority date of 1904.

These lands are within the Squaw Creek Irrigation District and are irrigated from the waters of Squaw Creek through the canal system of the said District.

The applicant herein, owner of the lands above described, proposes to change the place of use for a part of the said lands, to wit:

Sever the 1895 right from a certain 10.3 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  and, in lieu thereof, irrigate a certain 10.3 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 12; and

Sever the 1904 right from a certain 3.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  and 10.3 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  and, in lieu thereof, irrigate a certain 9.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  and 4.3 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 12.

The Squaw Creek Irrigation District, by action of the Board of Directors on October 3, 1972, has stated its approval of the proposed changes in place of use.

Mr. Bruce Estes, Watermaster of District No. 11, has filed a statement to the effect that the proposed changes in place of use may be made without injury to existing rights.

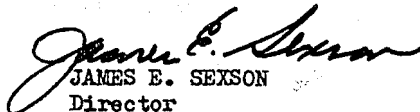
No objection having been filed and it appearing that the proposed changes in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use described herein, without loss of priority, are approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1978.

It is FURTHER ORDERED that upon receipt of 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 will be issued to the Squaw Creek Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon, this 16th day of November, 1976.

  
JAMES E. SEXSON  
Director