

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 7463 submitted by

SWALLEY IRRIGATION DISTRICT
P.O. BOX 5126
BEND, OR 97708.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for DESCHUTES County as evidenced by a PORTION of Certificate 29054. The decree is recorded in the Order Record of the Water Resources Director in Volume 16, at Page 396. The date of priority is SEPTEMBER 1, 1899.

The right allows the use of DESCHUTES RIVER, a tributary of COLUMBIA RIVER, for IRRIGATION of 14.57 acres. The applicant, an IRRIGATION DISTRICT as defined in ORS 540.505(1), has requested a change in place of use of the rights listed in TABLE I to the locations listed in TABLE II.

TABLE I.

TWN	RNG	SEC	QQ	TAX LOT	ACRES	OWNER
16	12	16	SESW	TL 01701	0.30	Heath
16	12	16	SWSE	TL 01701	0.20	Heath
16	12	16	SESW	TL 01702	0.70	Pozzi
16	12	16	SWSE	TL 01702	0.80	Pozzi
17	12	05	SWNE	TL 02400	2.66	Baltzor
17	12	05	SENE	TL 02400	1.64	Baltzor
17	12	05	SWNW	TL 01901	0.37	Apfelbaum/Van Pelt
17	12	22	NWSE	TL 01600	1.30	Babcock
17	12	22	NESE	TL 01600	2.20	Babcock
17	12	28	NWNW	TL 00700	4.40	Deschutes County

TABLE II.

TWN	RNG	SEC	QQ	TAX LOT	ACRES	OWNER
16	12	16	SESW	TL 01701	0.50	Heath
16	12	16	SESW	TL 01702	1.20	Pozzi
16	12	16	SWSE	TL 01702	0.30	Pozzi
16	12	21	NWNW	TL 00300	2.50	Patrick
16	12	33	SESW	TL 00205	1.00	Atkinson
17	12	05	SESW	TL 02500	0.10	Johnson
17	12	05	SWNE	TL 02500	0.40	Johnson
17	12	05	SWNE	TL 02402	3.80	Milton
17	12	05	SWNW	TL 01901	0.37	Apfelbaum/Van Pelt
17	12	17	NESE	TL 00100	4.40	Deschutes County

All townships and ranges are south and east of the Willamette Meridian, respectively.

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.

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1996.
2. The former place of use shall no longer be irrigated as a part of this water right.
3. Proof of completion of the transfer approved in this order, to the satisfaction of the Director, shall be submitted by the applicant, SWALLEY IRRIGATION DISTRICT, on or before October 1, 1997.

Pursuant to ORS 540.580(11), upon completion of condition 3 above, the Water Resources Department may amend certificate 29054, or cancel certificate 29054 and issue a new certificate preserving the previously established priority of rights and covering the authorized changes.

WITNESS the signature of the Water Resources Director, affixed 3/27/96.



Martha O. Pagel, Director