

**STATE OF OREGON**

**COUNTY OF DESCHUTES**

**ORDER APPROVING A CHANGE IN PLACE OF USE  
IN A DISTRICT**

Pursuant to ORS 540.580 (District Transfer place of use of water within a district), 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 8651 submitted by

TUMALO TOWN DISTRICT IMPROVEMENT COMPANY  
% SWALLEY IRRIGATION DISTRICT  
P.O. BOX 5126  
BEND, OREGON 97708-5126

The right to be modified, as evidenced by a portion of Certificate 76464, was perfected under Permit 13245 with a priority date of AUGUST 25, 1938.

The right allows the use of seepage from Tumalo Creek, a tributary of The Deschutes River and The Deschutes River, a tributary of The Columbia River, for irrigation of 0.17 acres and domestic use.

The authorized place of use is located as follows:

<u>QTR/QTR</u>	<u>ACRES</u>	<u>TAXLOT</u>	<u>APPLICANT</u>
SW¼ NE¼	0.17	4701	SWALLEY IRRIGATION DIST.
SECTION 31			
TOWNSHIP 16 SOUTH, RANGE 12 EAST, W.M.			

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

The applicant proposes to change the place of use to:

<u>QTR/QTR</u>	<u>ACRES</u>	<u>TAXLOT</u>	<u>RECIPIENT</u>
SW¼ NE¼	0.17	5598	OLSEN, GARY P.
SECTION 31			
TOWNSHIP 16 SOUTH, RANGE 12 EAST, W.M.			

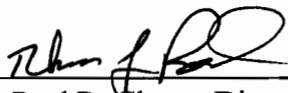
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 2002.
2. The former place of use shall no longer be irrigated as a part of this water right.
3. Proof to the satisfaction of the Director, that the change approved by this order has been completed must be submitted by TUMALO TOWN DISTRICT IMPROVEMENT COMPANY, on or before October 1, 2003

Except as modified herein, all conditions and restrictions of Certificate 76464 remain in effect.

When the Director determines that it is necessary , or to facilitate records keeping, new certificates will be issued to confirm all completed changes for which satisfactory proof has been made and to confirm those portions not modified by this or any other order.

WITNESS the signature of the Water Resources Director, affixed MAR 02 2001 .

  
for Paul R. Cleary, Director