

STATE OF OREGON

COUNTY OF DESCHUTES

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

Pursuant to ORS 540.580 (District Transfer of 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 8994 submitted by

SQUAW CREEK IRRIGATION DISTRICT
P.O. BOX 2230
SISTERS, OREGON 97759.

The rights to be modified were confirmed by decree of the Circuit Court of the State of Oregon for DESCHUTES County as evidenced by PORTIONS of Certificate 74135. The decree is recorded in the Order Record of the Water Resources Director in Volume 1, at Pages 121, 122, 123, 124, 435, 438, 445, 472, and 473. The dates of priority are 1895 and 1899.

The rights allow the use of SQUAW CREEK, a tributary of THE DESCHUTES RIVER, for IRRIGATION OF 23.0 acres with an 1895 priority and IRRIGATION OF 7.0 acres with an 1899 priority. The amount of water to which these rights are entitled is limited to an amount actually beneficially used and shall not exceed 0.60 cubic foot per second, being 0.46 cfs for the 1895 priority and 0.14 cfs for the 1899 priority, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.

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 authorized places of use are located as follows:

TWP	RNG	SEC	QTR/QTR	TL	AC	APPLICANT	PRIORITY
14S	10E	36	NW¼ SE¼	2000	2.50	STOUT, JOHN	1895
14S	10E	36	SW¼ SE¼	2000	1.50	STOUT, JOHN	1895
14S	10E	36	SE¼ SE¼	2500	1.80	HURTLEY, DAVID	1895
14S	10E	36	SE¼ SE¼	2503	0.53	HURTLEY, DAVID	1895
14S	11E	30	NE¼ SW¼	4701	7.00	LEASON, JOHN	1889
14S	11E	31	SW¼ SW¼	200	1.67	HURTLEY, DAVID	1895
15S	11E	6	SW¼ NE¼	101	4.00	LESTER, DON	1895
15S	11E	8	SE¼ SE¼	700	11.00	TUMALO FARMS	1895

The right to use water for the above purposes 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 district holds supplemental permits G-11378 and 29312 for the use of water on the lands described by the authorized places of use.

The district proposes to change the places of use to:

TWP	RNG	SEC	QTR/QTR	TL	AC	RECIPIENT	PRIORITY
14S	11E	29	SW¼ SW¼	5800	10.00	PAULUS, TOM	1895
14S	11E	12	NE¼ SE¼	3000	2.10	SPEAR, STEVE	1895
14S	11E	12	SE¼ SE¼	3000	2.90	SPEAR, STEVE	1895
14S	11E	30	SE¼ SW¼	4800	7.00	LEASON, JOHN	1899
15S	11E	6	SW¼ NE¼	101	4.00	LESTER, DON	1895
14S	10E	36	SW¼ SE¼	1800	2.00	HURTLEY, DAVID	1895
14S	10E	36	SW¼ SE¼	1700	2.00	HURTLEY, DAVID	1895

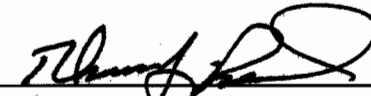
THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2004.
2. The former places of use shall no longer be irrigated as a part of these water rights.
3. Proof, to the satisfaction of the Director, that the changes approved by this order have been completed must be submitted by SQUAW CREEK IRRIGATION DISTRICT, on or before October 1, 2004.

Except as modified herein, all other conditions and restrictions on Certificate 74135 and supplemental permits G-11378 and 29312 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 that portion of the right not modified by this or any other order.

WITNESS the signature of the Water Resources Director, affixed OCT 30 2002.



For Paul R. Cleary, Director