

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
DONALD H. VETTERLEIN (SQUAW CREEK)
IRRIGATION DISTRICT) FOR APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4420

On March 4, 1980, an application was filed in the office of the Water Resources Director by Donald H. Vetterlein for 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 of Crook County, Oregon, entered September 19, 1914, In the Matter of the Determination of the Relative (inchoate) Rights to the Use of the waters of Squaw Creek and its Tributaries, a water right was established in the name of Squaw Creek Irrigation Company, a corporation, for the irrigation of, among other lands, 14.5 acres in NW 1/4 NE 1/4 and 7.0 acres in NE 1/4 NE 1/4, Section 30, Township 15 South, Range 11 East, W.M., with a date of priority of November 11, 1895, tabulated in the name of D. P. Moffat, as evidenced by certificate of water right recorded at page 850, Volume 1, State Record of Water Right Certificates.

The order of the State Engineer dated August 19, 1959, approving transfer Number C-130, amended September 2, 1959, describes a right which includes the use of water from Squaw Creek for irrigation of 26.0 acres in SW 1/4 SW 1/4 and 12.0 acres in SE 1/4 SW 1/4, Section 19, Township 15 South, Range 11 East, W.M., with a date of priority of November 11, 1895.

The order of the State Engineer dated July 18, 1969 describes a right which includes the use of water from Squaw Creek for irrigation of 9.0 acres in SW 1/4 SE 1/4 and 6.0 acres in SE 1/4 SE 1/4 of said Section 19, with a date of priority of November 11, 1895.

Water for the said right is delivered through the Fryrear Ditch.

The applicant herein, owner of the lands above described, proposes to change the place of use without loss of priority to 25.0 acres in NE 1/4 NE 1/4, 21.0 acres in NW 1/4 NE 1/4, 17.0 acres in SW 1/4 NE 1/4, 6.0 acres in NW 1/4 SE 1/4 and 5.5 acres in NE 1/4 SW 1/4, Section 20, Township 15 South, Range 11 East, W.M.

The proposed transfer was approved by the Board of Directors of Squaw Creek Irrigation District at their regular meeting on April 1, 1980.

Mr. Robert F. Main, Jr., Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.


No objections having been filed and it appearing that the proposed change 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 change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

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, certificate of water right shall be issued to Squaw Creek Irrigation District in lieu of certificate of water right heretofore issued to Squaw Creek Irrigation Company and recorded at page 850, Volume 1, State Record of Water Right Certificates, at the time certificate is issued to the District confirming other transfers within the District.

Dated at Salem, Oregon this 9th day of May, 1980.


JAMES E. SEXSON ^{SR}
Director