

**BEFORE THE WATER RESOURCES DEPARTMENT  
FOR THE  
STATE OF OREGON**

Order of Proper Proof of a Change in Place  
of Use Under Transfer 8054

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Final Order

THIS ORDER ISSUED TO

DECHUTES COUNTY JUSTICE CENTER  
c/o SWALLEY IRRIGATION DISTRICT  
P.O. BOX 5126  
BEND, OR 97701

confirms the right to use the waters of the DESCHUTES RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 5.3 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County as evidenced by a portion of an order of the Water Resources director, entered at Special Order Volume 50, Page 183, approving Transfer 7463. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 12, at Page 282 and Volume 16, at Pages 148 and 396. The date of priority is SEPTEMBER 1, 1899.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed the quantity determined by decree of the Circuit Court for Deschutes County, dated March 24, 1933, being:

APRIL 1 TO MAY 1 AND OCTOBER 1 TO NOVEMBER 1	0.57 CFS TO 83.00 ACRES
MAY 1 TO MAY 15 AND SEPTEMBER 15 TO OCTOBER 1	0.57 CFS TO 62.00 ACRES
MAY 15 TO SEPTEMBER 15	0.57 CFS TO 33.45 ACRES

for each acre irrigated from the Deschutes River and not through the main Swalley Irrigation District canal shall be limited to the above diversion rates without the 43% transmission loss allowed by the March 24, 1993 decree, and shall not exceed 5.46 acre feet for each acre irrigated during the irrigation season. The above quantities and limitations may be modified by additional orders of the Department.

The authorized points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	12 E	WM	14	NW SE	ADDITIONAL DISTRICT DIVERSION - 2170 FEET NORTH AND 1350 FEET WEST FROM SE CORNER, SECTION 14
17 S	12 E	WM	29	SE NE	SWALLEY MAIN CANAL - 985 FEET NORTH AND 617 FEET WEST FROM E1/4 CORNER, SECTION 29

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	12 E	WM	16	NW SW	5.3

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

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

The right to the use of the water for the above purpose is restricted to beneficial use on place of use described, and is subject to all other conditions and limitations contained in the decree.

This order is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered OCTOBER 1, 1998, at Special Order Volume 52, Page 874, approving Transfer Application 8054, affecting a portion of Certificate 29054, State Record of Water Right Certificates.

The Department will issue a superseding certificate describing the right when it determines that it is necessary for record keeping.

Issued NOV 19 2015.



Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department