

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION )  
OF GEORGE LEONARD FOR THE APPROVAL )  
OF A CHANGE IN PLACE OF USE OF )  
WATER FROM SQUAW CREEK )  
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ORDER APPROVING  
TRANSFER NO. 2868

On July 25, 1973, George Leonard filed an application in the office of the State Engineer for the approval of a change in place of use of water from Squaw Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Frank L. Shaw and recorded at page 36136, Volume 28, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.97 cubic foot per second of the waters of Squaw Creek for the irrigation of, among other lands, 2.5 acres in SE¼ SE¼, Section 4, Township 15 South, Range 10 East, W.M., with a date of priority of 1883.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 2.5 acres in SE¼ SE¼, Section 4, Township 15 South, Range 10 East, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

The proposed change in place of use of water may be made without injury to existing rights.

The Federal Land Bank, mortgagee of the land involved, has submitted written approval of the change in place of use.

No objections having been filed and it appearing that the

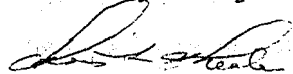
proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 2.5 acres in the SE¼ SE¼, Section 4, Township 15 South, Range 10 East, W. M., with a date of priority of 1883, more explicitly located as part of a tract described as follows: Beginning at a point North 89° 52' 50" West, 498.83 feet from the SE corner of Section 4, thence North 89° 52' 50" West 487.07 feet, thence North 336.90 feet, thence North 87° 52' 30" East, 482.07 feet, thence South 0° 58' 10" East 355.83 feet to the point of beginning, be severed therefrom and simultaneously and without loss of priority, transferred to 2.5 acres in SE¼ SE¼, Section 4, Township 15 South, Range 10 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1974.

It is FURTHER ORDERED that certificate of water right heretofore issued to Frank L. Shaw and recorded at page 36136, Volume 28, State Record of Water Right Certificates is canceled and upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use, a certificate shall be issued to Frank L. Shaw confirming the extent to which the water has been applied beneficially and including the balance of the lands not involved in this proceeding.

Dated at Salem, Oregon, this 3rd day of August, 1973.

  
CHRIS L. WHEELER  
State Engineer