

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

Order of Proper Proof of a Change in Place)
of Use and Point of Diversion Under)
Transfer 8018) Final Order

THIS ORDER ISSUED TO

BERNARD J. WESTLUND
ELIZABETH J. WESTLUND
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 IRRIGATING 0.50 acre.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County. 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 during the irrigation season of each year, not to exceed 5.46 acre feet for each acre irrigated during the irrigation season, if available at the original point of diversion. The above rates do not include a 43% transmission loss allowed by the Court to compensate for seepage from the Swalley Canal.

The authorized point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	12 E	WM	16	NW SW	392.3 FEET SOUTH AND 999.3 FEET EAST FROM W¼ CORNER, SECTION 16

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	0.5

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 quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available from the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	29	SE NE	SWALLEY MAIN CANAL – 985 FEET NORTH AND 617 FEET WEST FROM E¼ CORNER, SECTION 29

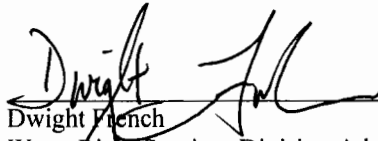
The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

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 AND POINT OF DIVERSION approved by an order of the Water Resources Director entered OCTOBER 9, 1998, at Special Order Volume 52, Page 885, approving Transfer Application 8018, affecting a portion of Certificate 74145, 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 MAR 31 2015


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