

STATE OF OREGON

COUNTY OF DESCHUTES

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

Pursuant to ORS 540.580, 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 8385 submitted by

SWALLEY IRRIGATION DISTRICT
P.O. BOX 5126
BEND, OREGON 97708-5126

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for DESCHUTES County as evidenced by PORTIONS of Certificate 74145. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 282. The date of priority is SEPTEMBER 1, 1899.

The right allows the use of THE DESCHUTES RIVER, a tributary of THE COLUMBIA RIVER, for IRRIGATING 22.04 ACRES.

The authorized places of use are located as follows:

<u>TWP</u>	<u>RNG</u>	<u>SEC</u>	<u>QTR/QTR</u>	<u>TAXLOT</u>	<u>USE</u>	<u>ACRES</u>
16S	12E	28	NW¼ SW¼	4700	IR	1.50
16S	12E	29	NE¼ SE¼	1204	IR	0.58
16S	12E	29	SE¼ SE¼	1204	IR	0.05

NOTICE: This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must 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.

Authorized places of use continued:

17S	12E	7	NE¼ NE¼	102	IR	3.30
17S	12E	7	NE¼ NE¼	103	IR	2.63
17S	12E	7	SE¼ NE¼	103	IR	0.03
17S	12E	16	SW¼ NW¼	400	IR	1.00
17S	12E	16	SE¼ SW¼	103	IR	0.25
17S	12E	17	NW¼ SE¼	500	IR	3.10
17S	12E	21	SE¼ NE¼	1400	IR	8.60
17S	12E	22	SW¼ SW¼	4500	IR	1.00

The right to use water for the above purpose 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 applicant proposes to change the places of use to:

<u>TWP</u>	<u>RNG</u>	<u>SEC</u>	<u>QTR/QTR</u>	<u>TAXLOT</u>	<u>USE</u>	<u>ACRES</u>
16S	12E	28	SW¼ SW¼	4800	IR	2.13
16S	12E	28	SE¼ SW¼	2600	IR	0.25
17S	12E	5	SW¼ NE¼	2402	IR	3.10
17S	12E	7	NE¼ NE¼	102	IR	7.66
17S	12E	7	NE¼ NE¼	103	IR	5.95
17S	12E	7	NW¼ NE¼	102	IR	0.12
17S	12E	7	NW¼ NE¼	103	IR	0.49
17S	12E	7	SE¼ NE¼	102	IR	0.21
17S	12E	7	SE¼ NE¼	103	IR	0.13
17S	12E	8	NW¼ NE¼	4900	IR	1.00
17S	12E	16	NE¼ NE¼	200	IR	0.30
17S	12E	16	NW¼ NE¼	200	IR	0.70

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

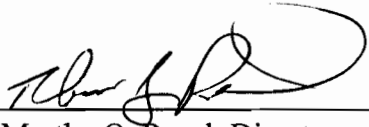
1. The proposed changes shall be completed on or before October 1, 2001.
2. The former places of use shall no longer be irrigated as a part of this water right.

3. Proof, to the satisfaction of the Director, that the changes approved by this order have been completed must be submitted by SWALLEY IRRIGATION DISTRICT, on or before October 1, 2002.

Except as modified herein, all other conditions and restrictions on Certificate 74145 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 MAY 08 2000.


For Martha O. Pagel, Director