

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF DESCHUTES VALLEY FARMS, INC.)
FOR THE APPROVAL OF A CHANGE IN)
PLACE OF USE OF WATER FROM SQUAW)
CREEK)
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ORDER APPROVING
TRANSFER NO. 2611

On March 13, 1972, Deschutes Valley Farms, Inc., 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.

By Decree of the Circuit Court for Crook County, Oregon, entered May 1, 1911, In the Matter of the Determination of the Relative 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 for the use of the waters of Squaw Creek for the irrigation of, among other lands, 23.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, and 23.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 19, Township 14 South, Range 12 East, W.M., with a date of priority of November 11, 1895, being tabulated in the name of Walter Ruble as evidenced by certificate of water right recorded at page 428, Volume 1, State Record of Water Right Certificates, 10.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, and 10.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 19, Township 14 South, Range 12 East, W.M., with a date of priority of November 11, 1895, being tabulated in the name of Walter Ruble, 5.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 7.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 14 South, Range 11 East, W.M., and 7.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30, Township 14 South, Range 12 East, W.M., with a date of priority of November 11, 1895, being tabulated in the name of C. L. Branton, 13.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 7.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 10.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, Township 14 South,

Range 11 East, W.M., and 8.0 acres in NW¼ NW¼, Section 30, Township 14 South, Range 12 East, W.M., with a date of priority of November 11, 1895, being tabulated in the name of George F. Scott, together with those lands to which rights were transferred as approved by orders of the State Engineer entered February 25, 1924 and April 7, 1933 which are for the irrigation of 5.0 acres in NE¼ NW¼, 10.0 acres in NE¼ SW¼, 5.0 acres in NW¼ SW¼, 15.0 acres in SW¼ SW¼, and 7.0 acres in NW¼ SE¼, Section 19, Township 14 South, Range 12 East, W.M., 5.0 acres in SW¼ SE¼, 5.0 acres in SE¼ SE¼, Section 24, and 20.0 acres in NW¼ NE¼, Section 25, Township 14 South, Range 11 East, W.M., with a date of priority of November 11, 1895, and 20.0 acres in SE¼ SW¼, Section 19, Township 14 South, Range 12 East, W.M., with a date of priority of 1889.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 20.0 acres in SW¼ SW¼, 37.0 acres in SE¼ SW¼, and 39.0 acres in SW¼ SE¼, Section 8, and 40.0 acres in NW¼ NE¼, 40.0 acres in NE¼ NW¼, and 20.0 acres in NW¼ NW¼, Section 17, with a priority of November 11, 1895 and 20.0 acres in NW¼ NW¼, Section 17, with a date of priority of 1889, all in Township 14 South, Range 12 East, W.M.

Notice by publication as provided by DRS 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 lands involved herein are within the boundaries of the Squaw Creek Irrigation District and the Board of Directors of said District approved the proposed change in place of use of water.

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.

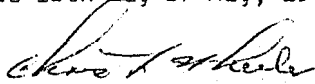
NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 5.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 5.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, 13.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 21.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 7.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 15.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 7.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 14 South, Range 11 East, W.M. and 33.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, 33.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 5.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 10.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 5.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 15.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 7.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19, 15.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30, Township 14 South, Range 12 East, W.M., with a priority of November 11, 1895 and 20.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 19, Township 14 South, Range 12 East, W.M., with a date of priority of 1889, be severed therefrom and simultaneously and without loss of priority transferred to 20.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 37.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 39.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, and 40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 20.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17, Township 14 South, Range 12 East, W.M., with a date of priority of November 11, 1895 and 20.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17, Township 14 South, Range 12 East, W.M., with a date of priority of 1889.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1973.

It is FURTHER ORDERED that Certificate of Water Right heretofore issued to Squaw Creek Irrigation District and recorded at page 428, Volume 1, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use on the lands to which the water is transferred hereby, certificates of water right shall be issued to Squaw Creek Irrigation District at the time certificates

are issued to the District confirming other transfers within the District.

Dated at Salem, Oregon, this 10th day of May, 1972.



CHRIS L. WHEELER
State Engineer