

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
KERMIT C. McOMIE (DESCHUTES RECLAMATION)
AND IRRIGATION COMPANY) FOR APPROVAL)
A CHANGE IN PLACE OF USE OF WATER)
FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 3777

On September 12, 1977, an application was filed in the office of the Water Resources Director by Kermit C. McOmie for approval of a change in place of use of water from Deschutes River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Deschutes County, Oregon, entered September 30, 1958, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Deschutes River and its Tributaries, a water right was established in the name of Deschutes Reclamation and Irrigation Company for the use of the waters of Deschutes River for the irrigation of, among other lands, 2.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, Township 16 South, Range 12 East, W.M., with a date of priority of September 1, 1899, being tabulated in the name of James Elder as evidenced by the certificate recorded at page 29054, Volume 21, State Record of Water Certificates. These lands are irrigated by means of the Swalley Canal.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof, a certain 2.0 acres in S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, Township 16 South, Range 12 East, W.M. (Tom Foster).

The lands involved herein are within the boundaries of the Deschutes Reclamation and Irrigation Company and the Board of Directors of said Company

approved the proposed change in place of use at a regular meeting held September 6, 1977.

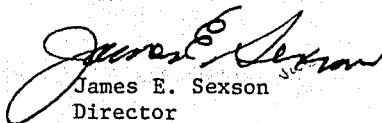
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use of water from Deschutes River, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which the water is transferred hereby, a certificate of water right shall be issued to Deschutes Reclamation and Irrigation Company at the time certificate is issued to the Company confirming other transfers within the Company.

Dated at Salem, Oregon, this 22nd day of September, 1977.


James E. Sexson
Director