

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF)
 SQUAW CREEK IRRIGATION DISTRICT FOR)
 APPROVAL OF A CHANGE IN PLACE OF USE)
 OF WATER WITHIN THE BOUNDARIES OF)
 SAID DISTRICT.)
 -----)

O R D E R
APPROVING APPLICATION

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On December 13, 1939, the Squaw Creek Irrigation District filed an application for the approval of a change in place of use of water within the boundaries of said district.

By an order dated February 23, 1934, the State Engineer approved an application of the Squaw Creek Irrigation District transferring certain water rights to, among other lands, the following:

<u>Subdivision</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>No. of Acres</u>	<u>Date of Priority</u>	
NE $\frac{1}{4}$ NW $\frac{1}{4}$	6	14 S.	12 E.	10	Nov. 11, 1895	C-302
SE $\frac{1}{4}$ NW $\frac{1}{4}$	6	14 S.	12 E.	9	Nov. 11, 1895	302
SE $\frac{1}{4}$ NW $\frac{1}{4}$	6	14 S.	12 E.	31	1895	850
NE $\frac{1}{4}$ SW $\frac{1}{4}$	6	14 S.	12 E.	1	Nov. 11, 1895	302
NE $\frac{1}{4}$ SW $\frac{1}{4}$	6	14 S.	12 E.	19	1895	850
SE $\frac{1}{4}$ SW $\frac{1}{4}$	6	14 S.	12 E.	6.5	Nov. 11, 1895	302
SE $\frac{1}{4}$ SW $\frac{1}{4}$	6	14 S.	12 E.	13.5	1895	850
NE $\frac{1}{4}$ NW $\frac{1}{4}$	7	14 S.	12 E.	9	1895	850

The applicant herein, owner of the above-described lands, proposes to transfer the water rights appurtenant thereto to the following:

<u>Subdivision</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>No. of Acres</u>	<u>Date of Priority</u>	
NW $\frac{1}{4}$ NE $\frac{1}{4}$	12	15 S.	10 E.	25	1895	} 850
SW $\frac{1}{4}$ NE $\frac{1}{4}$	12	15 S.	10 E.	5	1895	
NE $\frac{1}{4}$ NW $\frac{1}{4}$	12	15 S.	10 E.	14	1895	
NE $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	8	1895	
NW $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	17	1895	
SW $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	3.5	1895	} 850
SW $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	11.5	Nov. 11, 1895	
SW $\frac{1}{4}$ NW $\frac{1}{4}$	8	15 S.	11 E.	15	Nov. 11, 1895	} 302

There are now appurtenant to the lands to which it is proposed to transfer the 1895 water rights certain water rights with a date of priority of 1903, which water rights added to those being transferred herein will exceed the number of acres in part of the subdivisions affected. The district proposes to transfer such excess water rights, to-wit:

<u>Subdivision</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>No. of Acres</u>	<u>Date of Priority</u>
NW $\frac{1}{4}$ NE $\frac{1}{4}$	12	15 S.	10 E.	25	1904
NE $\frac{1}{4}$ NW $\frac{1}{4}$	12	15 S.	10 E.	12	1904
NE $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	30	Dec. 6, 1903
NE $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	6.5	1903
NW $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	29.5	1903
NW $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	6	Dec. 6, 1903
SW $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	32	1903
SW $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	2.5	Dec. 6, 1903

to other lands within the district.

It appears that such transfer will inure to the benefit of the district and can be made without injury to existing rights.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water be and the same hereby is approved and that the water rights appurtenant to the following-described lands, to-wit:

<u>Subdivision</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>No. of Acres</u>	<u>Date of Priority</u>
NE $\frac{1}{4}$ NW $\frac{1}{4}$ ✓	6	14 S.	12 E.	10	Nov. 11, 1895
SE $\frac{1}{4}$ NW $\frac{1}{4}$ ✓	6	14 S.	12 E.	9	Nov. 11, 1895
SE $\frac{1}{4}$ NW $\frac{1}{4}$ ✓	6	14 S.	12 E.	31	1895
NE $\frac{1}{4}$ SW $\frac{1}{4}$ ✓	6	14 S.	12 E.	1	Nov. 11, 1895
NE $\frac{1}{4}$ SW $\frac{1}{4}$ ✓	6	14 S.	12 E.	19	1895
SE $\frac{1}{4}$ SW $\frac{1}{4}$ ✓	6	14 S.	12 E.	6.5	Nov. 11, 1895
SE $\frac{1}{4}$ SW $\frac{1}{4}$ ✓	6	14 S.	12 E.	13.5	1895
NE $\frac{1}{4}$ NW $\frac{1}{4}$ ✓	7	14 S.	12 E.	9	1895

be severed therefrom and simultaneously and without loss of priority transferred to the following-described lands, to-wit:

<u>Subdivision</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>No. of Acres</u>	<u>Date of Priority</u>
NW $\frac{1}{4}$ NE $\frac{1}{4}$	12	15 S.	10 E.	25	1895
SW $\frac{1}{4}$ NE $\frac{1}{4}$	12	15 S.	10 E.	5	1895
NE $\frac{1}{4}$ NW $\frac{1}{4}$	12	15 S.	10 E.	14	1895
NE $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	8	1895
NW $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	17	1895
SW $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	3.5	1895
SW $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	11.5	Nov. 11, 1895
SW $\frac{1}{4}$ NW $\frac{1}{4}$	8	15 S.	11 E.	15	Nov. 11, 1895

It is FURTHER ORDERED that complete application of water to beneficial use on said lands shall be made on or before October 1, 1941, or such further time as may be extended by the State Engineer for good cause shown.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use upon the lands to which the water rights hereby are transferred a certificate of water right shall be issued to the Squaw Creek Irrigation District and that the certificates of water right issued by the State Engineer to the Squaw Creek Irrigation Company and covering, among other lands, the lands from which the water rights are being transferred shall be cancelled.

It is FURTHER ORDERED that the Squaw Creek Irrigation District shall file with the State Engineer on or before October 1, 1940, an application as provided by Section 47-712, Oregon Code 1935 Supplement, for transfer of the excess water rights appurtenant to the following-described lands:

<u>Subdivision</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>No. of Acres</u>	<u>Date of Priority</u>
NW $\frac{1}{4}$ NE $\frac{1}{4}$	12	15 S.	10 E.	25	1904
NE $\frac{1}{4}$ NW $\frac{1}{4}$	12	15 S.	10 E.	12	1904
NE $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	30	Dec. 6, 1903
NE $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	6.5	1903
NW $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	29.5	1903
NW $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	6	Dec. 6, 1903
SW $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	32	1903
SW $\frac{1}{4}$ SE $\frac{1}{4}$	6	15 S.	11 E.	2.5	Dec. 6, 1903

to other lands within said district, and in the event such application is not received on or before said date the said water rights shall be considered as abandoned

and the water appurtenant to the last described lands shall revert to the State of Oregon and become subject to appropriation.

Dated at Salem, Oregon, this 5th day of February, 1940.

Notation on Decree

Vol. 1, p. 122, 478, 472

Cert. 850-f, 268, 7855



CHAS. E. STRICKLIN

State Engineer

Noted on Sp. Or.

Vol. 2, p. 337

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