

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION)  
OF DESCHUTES VALLEY FARMS, INC. )  
FOR APPROVAL OF A CHANGE IN )  
PLACE OF USE OF WATER - - - - - )

ORDER APPROVING  
TRANSFER NO. 3706

On June 13, 1977, an application was filed in the office of the Water Resources Director by Deschutes Valley Farms, Inc. for approval of a change in place of use of water from Squaw Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 302, Volume 1, State Record of Water Right Certificates, in the name of Walter Ruble, describes a right which includes the use of not to exceed 1.26 cubic feet per second from Squaw Creek for irrigation of a certain 12.5 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 12, Township 14 South, Range 11 East, W. M.; 13.5 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 7, and 37.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 19, Township 14 South, Range 12 East, W. M., with a date of priority of November 11, 1895.

The certificate recorded at page 850, Volume 1, State Record of Water Right Certificates, in the name of J. R. Howard, describes a right which includes the use of not to exceed 0.34 cubic foot per second from Squaw Creek for irrigation of a certain 6.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 4.5 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 12, Township 14 South, Range 11 East, W. M.; and 6.5 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 7, Township 14 South, Range 12 East, W. M., with a date of priority of 1895.

The Special Order recorded at page 229, Volume 1, Special Order Record of the State Engineer, in the name of A. B. Chapman, describes a right which includes the use of not to exceed 0.20 cubic foot per second from Squaw Creek for irrigation of a certain 5.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  and 5.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 20, Township 14 South, Range 12 East, W. M., with a date of priority of 1895.

These lands also have a supplemental right under permit No. 29312 to the use of water stored in Squaw Creek Reservoir, with a date of priority of February 5, 1964.

Water for the said right is diverted, through the Squaw Creek Ditch, from a point located 1322 feet North and 778 feet West from the Southeast Corner of Section 29, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 29, Township 15 South, Range 10 East, W. M.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 40.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 15.8 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , and 34.2 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ ,

Section 20, Township 14 South, Range 12 East, W. M.

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.

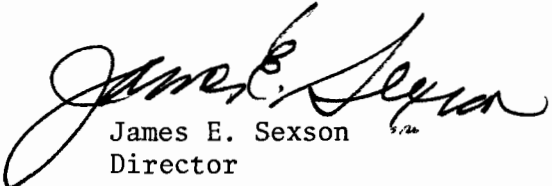
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use of water, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1980.

It is FURTHER ORDERED that the certificates of water right recorded at pages 302 and 850, Volume 1, State Record of Water Right Certificates, are canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

It is FURTHER ORDERED that the portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered October 26, 1925, approving transfer application No. C-45; and upon receipt of proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 6th day of November, 1979.

  
James E. Sexson  
Director