

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
MICHAEL AND REBECCA HERMAN (SQUAW)
CREEK IRRIGATION DISTRICT) FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER)

ORDER APPROVING
TRANSFER 4943

On November 24, 1981, an application was filed in the office of the Water Resources Director by Michael and Rebecca Herman 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.

By Decree of the Circuit Court for Crook County, 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, tabulated at page 125, Volume 1, was allowed in the name of R. R. Howard, for irrigation of, among other lands, a certain 8.0 acres in SW 1/4 SW 1/4, Section 13, Township 14 South, Range 11 East, WM, with a date of priority of November 11, 1895, as evidenced by the certificate recorded at page 302, Volume 1, State Record of Water Right Certificates.

By a Supplemental Decree of the Circuit Court for Crook County, entered September 19, 1914, in the Matter of the Determination of the Relative Rights to the Use of Waters of Squaw Creek and Its Tributaries, a water right was allowed in the name of R. R. Howard, for irrigation of, among other lands, a certain 7.0 acres in SE 1/4 SE 1/4, Section 14 and 6.2 acres in N 1/2 NE 1/4 NE 1/4, Section 23, Township 14 South, Range 11 East, WM, with a date of priority of November 11, 1895, as evidenced by the certificate recorded at page 850, Volume 1, State Record of Water Right Certificates.

These lands also have a supplemental right under Permit 29312.

The applicants herein, owners of the lands above described, propose to transfer the water right therefrom, without loss of priority, to a certain 21.2 acres in NW 1/4 NW 1/4, Section 33, Township 14 South, Range 11 East, WM.

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 at a regular meeting.

Robert F. Main, Jr., Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

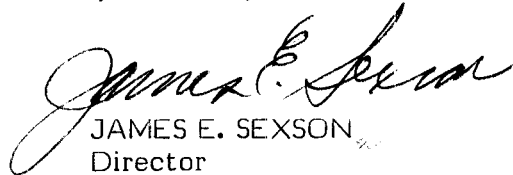
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, 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, 1983.

It is FURTHER ORDERED that 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 certificate of water right shall be issued to Squaw Creek Irrigation District, or their successor in interest, confirming this and prior changes within the District.

Dated at Salem, Oregon this 1st day of March, 1982.


JAMES E. SEXSON
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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