

*amended
by 152
p 429*

STATE OF OREGON
COUNTY OF DESCHUTES

ORDER APPROVING A CHANGE IN PLACE OF USE

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 7678 submitted by

SWALLEY IRRIGATION DISTRICT
PO BOX 5126
BEND, OR 97708-5126.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for DESCHUTES County as evidenced by a PORTION of Certificate 29054. The decree is recorded in the Order Record of the Water Resources Director in Volume 16, at Page 396. The date of priority is SEPTEMBER 1, 1899.

The right allows the use of DESCHUTES RIVER, a tributary of COLUMBIA RIVER, for IRRIGATION of 11.44 acres. The applicant, an IRRIGATION DISTRICT as defined in ORS 540.505(1), has requested a change in place of use of the rights listed in TABLE I to the locations listed in TABLE II.

TABLE I.

TWN	RNG	SEC	QQ	TAX LOT	ACRES	OWNER
17	12	5	SWNW	2003	3.00	KAUFFMAN
17	12	16	NWSE	1900	0.25	THORNTON
17	12	16	SWSE	1900	1.75	THORNTON
17	12	7	NENE	100	6.00	GISLER
16	12	20	SESE	1400	0.40	LOW
16	12	20	SESE	1400-A	0.04	LOW

TABLE II.

TWN	RNG	SEC	QQ	TAX LOT	ACRES	OWNER
17	12	5	NWNW	2000	3.00	KAUFFMAN
17	12	5	NWNW	2001	2.00	THORNTON
17	12	8	SWNW	6200	6.00	GISLER
16	12	20	SWSE	1400	0.40	LOW
16	12	20	SESE	1400-B	0.04	LOW

All townships and ranges are south and east of the Willamette Meridian, respectively.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1998.
2. The former place of use shall no longer be irrigated as a part of this water right.
3. Proof of completion of the transfer approved in this order, to the satisfaction of the Director, shall be submitted by the applicant, SWALLEY IRRIGATION DISTRICT, on or before October 1, 1999.

WITNESS the signature of the Water Resources Director, affixed 5/5/97.


Martha O. Pagel, Director