

**BEFORE THE WATER RESOURCES DEPARTMENT
FOR THE
STATE OF OREGON**

Order of Proper Proof of a Change in Place
of Use Under Transfer 8613

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Final Order

THIS ORDER ISSUED TO

SWALLEY IRRIGATION DISTRICT
64672 COOK AVE SUITE 1
BEND OR 97701

WALTER C BABCOCK
20050 TUMALO RD
BEND OR 97701

confirms the right to use the waters of DESCHUTES RIVER, a tributary of the COLUMBIA RIVER for POND MAINTENANCE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 12, at Page 282 and Volume 16, at Pages 148 and 396. The date of priority is SEPTEMBER 1, 1899.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 10.92 ACRE FEET, or 2.0 ACRE/equivalent for pond maintenance.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	12 E	WM	30	SE SE	1248 FEET NORTH AND 138 FEET WEST FROM THE SE CORNER, SECTION 30

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
16 S	12 E	WM	29	NW SW

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	20	NE NW	590 FEET SOUTH AND 1920 FEET EAST FROM THE NW CORNER, SECTION 20

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

Water shall be required from the same surface water source as the original point of diversion.

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

This order is issued to confirm a change in USE, PLACE OF USE, AND POINT OF DIVERSION approved by an order of the Water Resources Director entered MARCH 7, 2001, at Special Order Volume 55, Page 248, approving Transfer Application 8613, affecting a portion of Certificate 74145, State record of Water Right Certificates.

The Department will issue a superseding certificate describing the right when it determines that it is necessary for record keeping.

Issued NOV 06 2014.



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department