

2868

STATUS OF APPLICATION

Change in Place of Use
 Date filed July 25, 1973
 Date of hearing _____
 Place of hearing _____
 Date of order August 3, 1973 Vol. 23, page 301
 Date for application of water October 1, 1974
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page 52522 RR

Survey

DESCRIPTION OF WATER RIGHT

Name of stream Squaw Creek
 Trib. of _____ County of Deschutes
 Use Irrigation
 Quantity of water _____ No. of acres 2.25
 Name of ditch Buchanan ditch
 Date of priority 1883
 In name of Frank L. Shaw
Squaw Creek Adjudication, Vol. 1, page 122
 App. No. _____ Per. No. 0259 Cert. No. 36136
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
7-25-73	20.00	35768
7-31-73	5.00	35868
TOTAL . . .	1.50	
7-25-73	Cert. Fee	35769

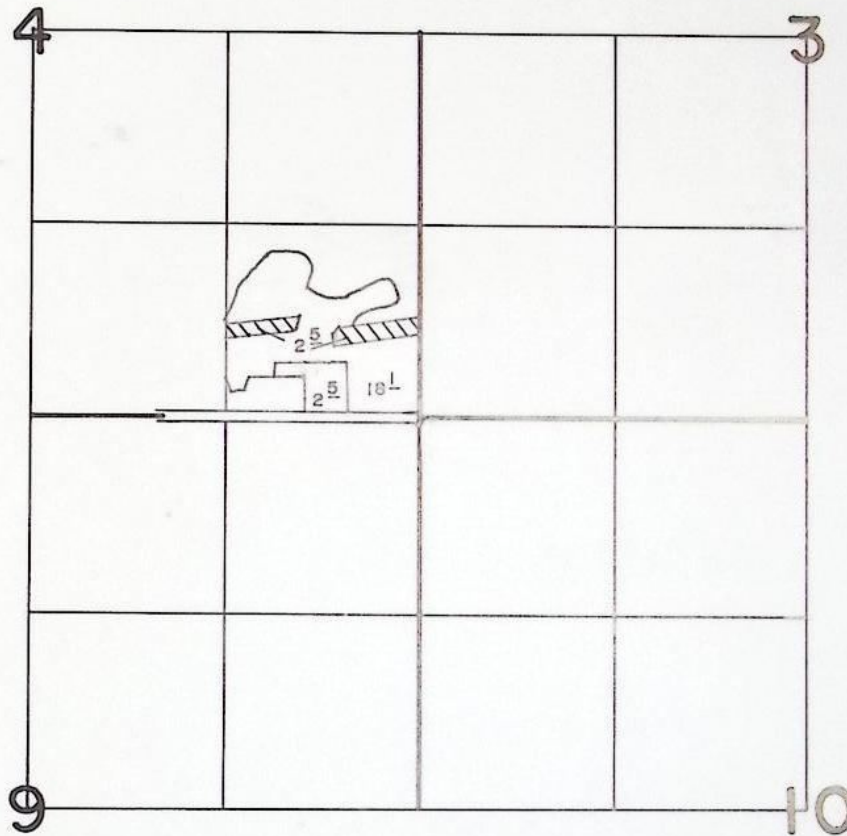
FEES REFUNDED

Date	Amount	Check No.

REMARKS

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
<input checked="" type="checkbox"/>	Name		<u>ST</u>	
<input checked="" type="checkbox"/>	Stream		<u>ST</u>	
<input type="checkbox"/>	Pt. of Div.			
<input checked="" type="checkbox"/>	Calendar		<u>ST</u>	
	CHECKED TO RECORDS:			
	<input checked="" type="checkbox"/>	Twp. & Rge.	<u>ST</u>	
	<input checked="" type="checkbox"/>	Decree-vault	<u>ST</u>	
	<input checked="" type="checkbox"/>	Decree-safe	<u>ST</u>	
	<input checked="" type="checkbox"/>	Cert. of W/R	<u>ST</u>	
	<input type="checkbox"/>	Per. folder		
	<input type="checkbox"/>	Chainindex		
	<input type="checkbox"/>	Cross Ref.		
<input type="checkbox"/>	Power Claim			
<input type="checkbox"/>	Abstracts			
	Squaw Cr. Map Bk.		<u>L</u>	

T.15S. R.10E. W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER NO. 2868

Application No. Permit No.
IN NAME OF

..... MAURICE HUNKING

Surveyed MAY 5, 1980, by L.H. NUNN

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF GEORGE LEONARD FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM SQUAW CREEK)

ORDER APPROVING
TRANSFER NO. 2868

On July 25, 1973, George Leonard filed an application in the office of the State Engineer for the approval of a change in place of use of water from Squaw Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Frank L. Shaw and recorded at page 36136, Volume 28, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.97 cubic foot per second of the waters of Squaw Creek for the irrigation of, among other lands, 2.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, Township 15 South, Range 10 East, W.M., with a date of priority of 1883.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 2.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, Township 15 South, Range 10 East, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

The proposed change in place of use of water may be made without injury to existing rights.

The Federal Land Bank, mortgagee of the land involved, has submitted written approval of the change in place of use.

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 proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 2.5 acres in the SE¼ SE¼, Section 4, Township 15 South, Range 10 East, W M., with a date of priority of 1883, more explicitly located as part of a tract described as follows: Beginning at a point North 89° 52' 50" West, 498.83 feet from the SE corner of Section 4, thence North 89° 52' 50" West 487.07 feet, thence North 336.90 feet, thence North 87° 52' 30" East, 482.07 feet, thence South 0° 58' 10" East 355.83 feet to the point of beginning, be severed therefrom and simultaneously and without loss of priority, transferred to 2.5 acres in SE¼ SE¼, Section 4, Township 15 South, Range 10 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1974.

It is FURTHER ORDERED that certificate of water right heretofore issued to Frank L. Shaw and recorded at page 36136, Volume 28, State Record of Water Right Certificates is canceled and upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use, a certificate shall be issued to Frank L. Shaw confirming the extent to which the water has been applied beneficially and including the balance of the lands not involved in this proceeding.

Dated at Salem, Oregon, this 3rd day of August, 1973.

/s/ CHRIS L. WHEELER
State Engineer

STATE OF OREGON

Superseded by

Cert. No.

Spec. Or. V. 22, p. 301

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

This Is to Certify, That FRANK L. SHAW

of Sisters, State of Oregon, has a right
to the use of the waters of Squaw Creek

a tributary of Deschutes River for the purpose of
irrigation of 48 $\frac{2}{3}$ acres
and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Crook County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 1, at page 120; that the priority of the right thereby
confirmed dates from 1883;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 0.97 cubic foot per
second

The point of diversion is located in the

A description of the place of use under the right, and to which such right is appurtenant, is as
follows:

14.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
12.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
1 $\frac{2}{3}$ acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
21.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 2.5 ac T-2868
Section 4
T. 15 S., R. 10 E., W. M.

Certificate of water right issued to Frank L. Shaw and recorded at page 429,
Volume 1, State Record of Water Right Certificates, confirms the right to the use
of water for irrigation of 70.0 acres. Subsequently, the right to the use of
water appurtenant to 21 $\frac{1}{3}$ acres was transferred by order of the State Engineer
entered May 3, 1966. This certificate is issued to confirm the remaining right
to the use of water for irrigation and supersedes the certificate heretofore
issued to Frank L. Shaw.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place
of use herein described.

WITNESS the signature of the State Engineer, affixed

this date July 10, 1969.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 28, page 36136