

3151 Sen Neiman
#2 NW Greenwood Ave
Bunk, Or 97201

3151

STATUS OF APPLICATION

Change in place of use
Date filed 12-4-74
Date of hearing _____
Place of hearing _____
Date of order 4-4-75 Vol. 25, page 262
Date for application of water 10-1-75
Proof mailed _____
Proof received _____
Certificate issued _____ Vol. _____, page _____

Survey 11/76

Surveyed 7/21/86 (Cox)

REMARKS

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes R
Trib. of _____ County of Deschutes
Use irrigation
Quantity of water _____ No. of acres 8⁵
Name of ditch Swalley
Date of priority Sept 1, 1899
In name of William Harris
Deschutes Adjudication, Vol. 16, page 181
App. No. _____ Per. No. _____ Cert. No. 29054
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>12-4-74</u>	<u>25.00</u>	<u>44101</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
	☒ Name	☒	☐
	☒ Stream	☒	☐
	☒ Pt. of Div.	☐	☐
	☒ Calendar	☒	☐
	CHECKED TO RECORDS:		
	☒ Twp. & Rge.	☒	☐
	☒ Decree-vault	☒	☐
	☒ Decree-safe	☒	☐
	☐ Cert. of W/R	☐	☐
	☐ Per. Folder	☐	☐
	☐ Chainindex	☐	☐
	☐ Cross Ref.	☐	☐
	☐ Power Claim	☐	☐
	☐ Abstracts	☐	☐

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BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF)
DAN HEIERMAN (DESCHUTES RECLAMATION)
AND IRRIGATION COMPANY) FOR THE)
APPROVAL OF A CHANGE IN PLACE OF USE)
OF WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 3151

On December 4, 1974, Dan Heierman filed an application in the office of the State Engineer for the approval of a change in place of use of water from Deschutes River, pursuant to the provisions of ORS 540.510 to 540.530.

29054
By Decree of the Circuit Court for Deschutes County, Oregon, entered September 30, 1958, In the Matter of the Determination of the Relative Rights to the Use of the Deschutes River and its Tributaries, a water right was established in the name of Deschutes Reclamation and Irrigation Company for the use of the waters of Deschutes River for the irrigation of, among other lands, 6.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 2.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 27, Township 16 South, Range 12 East, W.M., being tabulated in the name of William Harris, with a date of priority of September 1, 1899, as evidenced by certificate of water right recorded at page 29054, Volume 21, State Record of Water Right Certificates. These lands are irrigated by means of the Swalley Canal.

The applicant herein, owner of the lands above described, propose to transfer the water right therefrom, without loss of priority, to 7.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 1.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 16 South, Range 12 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 lands involved herein are within the boundaries of the Deschutes Reclamation and Irrigation Company and the Board of Directors of said District approved the proposed change in place of use of water at a regular meeting held November 12, 1973.

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 6.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 2.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 27, Township 16 South, Range 12 East, W.M., with a date of priority of September 1, 1899, be severed therefrom and simultaneously and without loss of priority transferred to 7.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 1.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 16 South, Range 12 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1975.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use on the lands to which the water is transferred hereby, a certificate of water right will be issued to the Deschutes Reclamation and Irrigation Company confirming this and prior changes within the District.

Dated at Salem, Oregon, this 4th day of April, 1975.

/s/ CHRIS L. WHEELER
State Engineer