

STATE OF OREGON

COUNTY OF HOOD RIVER

ORDER APPROVING A CHANGE IN PLACE OF USE

Pursuant to ORS 537.252, after notice was given and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, PERMIT AMENDMENT T-9101 submitted by

EAST FORK IRRIGATION DISTRICT  
P.O. BOX 162  
ODELL, OREGON 97044.

The permit to be modified is Permit 43395 with a date of priority of AUGUST 8, 1977 FOR 4.45 CUBIC FEET PER SECOND (CFS) AND AUGUST 3, 1978 FOR 0.61 CFS. The permit allows the use of the EAST FORK HOOD RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 405 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 5.06 cubic feet per second, if available at the authorized point of diversion: NW¼ SW¼, SECTION 4, T 1 S, R 10 E, W.M.; 3750 FEET SOUTH AND 430 FEET EAST FROM THE NW CORNER OF SECTION 4, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

NIEBOLT	NW $\frac{1}{4}$ NE $\frac{1}{4}$	10.0 ACRES
NIEBOLT	SW $\frac{1}{4}$ NE $\frac{1}{4}$	10.0 ACRES
MALLON	SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 ACRES

SECTION 1

MELVILLE	NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.0 ACRES
GOSS	NE $\frac{1}{4}$ SE $\frac{1}{4}$	7.0 ACRES
GOSS	SE $\frac{1}{4}$ SE $\frac{1}{4}$	7.0 ACRES

SECTION 2

ALLEN & KRUCK.	SW $\frac{1}{4}$ NE $\frac{1}{4}$	10.0 ACRES
BIETLER	SE $\frac{1}{4}$ NE $\frac{1}{4}$	5.0 ACRES

SECTION 3

DALTON	NW $\frac{1}{4}$ NE $\frac{1}{4}$	5.0 ACRES
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SECTION 10

GREEN	NW $\frac{1}{4}$ NE $\frac{1}{4}$	15.0 ACRES
WEBER	SW $\frac{1}{4}$ NE $\frac{1}{4}$	18.0 ACRES
SHORT	SE $\frac{1}{4}$ NE $\frac{1}{4}$	5.0 ACRES
WOODED	NE $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 ACRES
WOODED & MILLER	SE $\frac{1}{4}$ NW $\frac{1}{4}$	10.0 ACRES
BAER	NE $\frac{1}{4}$ SE $\frac{1}{4}$	3.0 ACRES
MILFORD	NW $\frac{1}{4}$ SE $\frac{1}{4}$	11.0 ACRES
MARTIN	SE $\frac{1}{4}$ SE $\frac{1}{4}$	5.0 ACRES

SECTION 15

JONKE	NE $\frac{1}{4}$ NW $\frac{1}{4}$	9.0 ACRES
JENKINS	NW $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 ACRES
D. PLOY, LTD.	NW $\frac{1}{4}$ SE $\frac{1}{4}$	15.0 ACRES

SECTION 22

TOWNSHIP 1 NORTH, RANGE 10 EAST, W.M.

WEBSTER	SW $\frac{1}{4}$ NE $\frac{1}{4}$	5.0 ACRES
WEBSTER	SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 ACRES
WEBSTER	NE $\frac{1}{4}$ SW $\frac{1}{4}$	2.0 ACRES
GALE	SE $\frac{1}{4}$ SW $\frac{1}{4}$	5.0 ACRES
GILKERSON	NE $\frac{1}{4}$ SE $\frac{1}{4}$	8.0 ACRES
WHITECOTTON	SE $\frac{1}{4}$ SE $\frac{1}{4}$	1.0 ACRE

SECTION 14

GOULD	NE $\frac{1}{4}$ NE $\frac{1}{4}$	6.0 ACRES
PHILLEY	NW $\frac{1}{4}$ NE $\frac{1}{4}$	5.0 ACRES
SMITH	NE $\frac{1}{4}$ SW $\frac{1}{4}$	5.0 ACRES
BORTON	SE $\frac{1}{4}$ SW $\frac{1}{4}$	5.0 ACRES

SECTION 21

GRAVES	NE $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 ACRES
NELSON & BENJ.	NW $\frac{1}{4}$ SE $\frac{1}{4}$	6.0 ACRES

SECTION 22

LAUGHLIN	SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.0 ACRES
WEBSTER	SE $\frac{1}{4}$ NW $\frac{1}{4}$	3.0 ACRES

SECTION 24

WHITTEN, ETC.	SW $\frac{1}{4}$ NW $\frac{1}{4}$	2.0 ACRES
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SECTION 26

BECK	SE $\frac{1}{4}$ NW $\frac{1}{4}$	10.0 ACRES
C. WILLIAMS	SW $\frac{1}{4}$ SW $\frac{1}{4}$	3.0 ACRES

SECTION 27

WALLS	SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.0 ACRES
ANDERSON	SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 ACRES
SHELLMAN	NE $\frac{1}{4}$ SE $\frac{1}{4}$	5.0 ACRES
FLETCHER	SE $\frac{1}{4}$ SE $\frac{1}{4}$	7.0 ACRES

SECTION 28

FRAZIER, ETC.	NE $\frac{1}{4}$ SW $\frac{1}{4}$	5.0 ACRES
FRAZIER, ETC.	NW $\frac{1}{4}$ SW $\frac{1}{4}$	4.0 ACRES
HILL & LEE	SW $\frac{1}{4}$ SW $\frac{1}{4}$	8.0 ACRES

SECTION 29

JONES	SE $\frac{1}{4}$ SE $\frac{1}{4}$	5.0 ACRES
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SECTION 30

L. FLETCHER            NE¼ NE¼    4.0 ACRES  
L. FLETCHER            SE¼ NE¼    4.0 ACRES  
GABRIEL                SE¼ NW¼    5.0 ACRES  
SECTION 34

YASUI                   SE¼ NE¼    20.0 ACRES  
DAVIS                   NW¼ NW¼    6.0 ACRES  
SECTION 35

COOPER                 NE¼ NE¼    5.0 ACRES  
OATES & COLLINS       NW¼ NE¼    13.0 ACRES  
CULBERTSON            SW¼ NE¼    2.0 ACRES  
SWYERS                 SE¼ NE¼    3.0 ACRES  
SECTION 36

TOWNSHIP 2 NORTH, RANGE 10 EAST, W.M.

COUNTY PARK            SW¼ NW¼    14.0 ACRES  
SECTION 6

LEAVANS                NE¼ NE¼    2.0 ACRES  
NAFTSIGER              NW¼ NE¼    1.0 ACRE  
SECTION 7

SWYERS                 NW¼ SE¼    3.0 ACRES  
SWYERS                 SW¼ SE¼    13.0 ACRES  
SECTION 19

LAUGHLIN              NW¼ NE¼    10.0 ACRES  
ELDER                   SE¼ NW¼    9.0 ACRES  
SPANGLER               NE¼ SW¼    5.0 ACRES  
SECTION 30

TOWNSHIP 2 NORTH, RANGE 11 EAST, W.M.

HAZELTINE              NE¼ NW¼    2.0 ACRES  
GARY & OGOWA           NW¼ NW¼    2.0 ACRES  
SECTION 31

TOWNSHIP 3 NORTH, RANGE 11 EAST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

The applicant proposes to change the place of use to:

NIEBOLT NW $\frac{1}{4}$  NE $\frac{1}{4}$  10.0 ACRES  
NIEBOLT SW $\frac{1}{4}$  NE $\frac{1}{4}$  10.0 ACRES  
MALLON SE $\frac{1}{4}$  NW $\frac{1}{4}$  5.0 ACRES  
SECTION 1

MELVILLE NW $\frac{1}{4}$  NE $\frac{1}{4}$  2.0 ACRES  
GOSS NE $\frac{1}{4}$  SE $\frac{1}{4}$  7.0 ACRES  
GOSS SE $\frac{1}{4}$  SE $\frac{1}{4}$  7.0 ACRES  
SECTION 2

ALLEN & KRUCK. SW $\frac{1}{4}$  NE $\frac{1}{4}$  1.4 ACRES  
BIETLER SE $\frac{1}{4}$  NE $\frac{1}{4}$  5.0 ACRES  
SECTION 3

DALTON NW $\frac{1}{4}$  NE $\frac{1}{4}$  5.0 ACRES  
\* NE $\frac{1}{4}$  SE $\frac{1}{4}$  8.6 ACRES  
SECTION 10

GREEN NW $\frac{1}{4}$  NE $\frac{1}{4}$  15.0 ACRES  
WEBER SW $\frac{1}{4}$  NE $\frac{1}{4}$  18.0 ACRES  
SHORT SE $\frac{1}{4}$  NE $\frac{1}{4}$  5.0 ACRES  
WOODED NE $\frac{1}{4}$  NW $\frac{1}{4}$  5.0 ACRES  
WOODED & MILLER SE $\frac{1}{4}$  NW $\frac{1}{4}$  10.0 ACRES  
BAER NE $\frac{1}{4}$  SE $\frac{1}{4}$  3.0 ACRES  
MILFORD NW $\frac{1}{4}$  SE $\frac{1}{4}$  11.0 ACRES  
MARTIN SE $\frac{1}{4}$  SE $\frac{1}{4}$  5.0 ACRES  
SECTION 15

JONKE NE $\frac{1}{4}$  NW $\frac{1}{4}$  9.0 ACRES  
JENKINS NW $\frac{1}{4}$  NW $\frac{1}{4}$  5.0 ACRES  
D. PLOY, LTD. NW $\frac{1}{4}$  SE $\frac{1}{4}$  15.0 ACRES  
SECTION 22

TOWNSHIP 1 NORTH, RANGE 10 EAST, W.M.

WEBSTER	SW $\frac{1}{4}$ NE $\frac{1}{4}$	5.0 ACRES
WEBSTER	SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 ACRES
WEBSTER	NE $\frac{1}{4}$ SW $\frac{1}{4}$	2.0 ACRES
GALE	SE $\frac{1}{4}$ SW $\frac{1}{4}$	5.0 ACRES
GILKERSON	NE $\frac{1}{4}$ SE $\frac{1}{4}$	8.0 ACRES
WHITECOTTON	SE $\frac{1}{4}$ SE $\frac{1}{4}$	1.0 ACRE

SECTION 14

GOULD	NE $\frac{1}{4}$ NE $\frac{1}{4}$	6.0 ACRES
PHILLEY	NW $\frac{1}{4}$ NE $\frac{1}{4}$	5.0 ACRES
SMITH	NE $\frac{1}{4}$ SW $\frac{1}{4}$	5.0 ACRES
BORTON	SE $\frac{1}{4}$ SW $\frac{1}{4}$	5.0 ACRES

SECTION 21

GRAVES	NE $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 ACRES
NELSON & BENJ.	NW $\frac{1}{4}$ SE $\frac{1}{4}$	6.0 ACRES

SECTION 22

LAUGHLIN	SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.0 ACRES
WEBSTER	SE $\frac{1}{4}$ NW $\frac{1}{4}$	3.0 ACRES

SECTION 24

WHITTEN, ETC.	SW $\frac{1}{4}$ NW $\frac{1}{4}$	2.0 ACRES
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SECTION 26

BECK	SE $\frac{1}{4}$ NW $\frac{1}{4}$	10.0 ACRES
C. WILLIAMS	SW $\frac{1}{4}$ SW $\frac{1}{4}$	3.0 ACRES

SECTION 27

WALLS	SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.0 ACRES
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SHELLMAN	NE $\frac{1}{4}$ SE $\frac{1}{4}$	5.0 ACRES
FLETCHER	SE $\frac{1}{4}$ SE $\frac{1}{4}$	7.0 ACRES

SECTION 28

FRAZIER, ETC.	NE $\frac{1}{4}$ SW $\frac{1}{4}$	5.0 ACRES
FRAZIER, ETC.	NW $\frac{1}{4}$ SW $\frac{1}{4}$	4.0 ACRES
HILL & LEE	SW $\frac{1}{4}$ SW $\frac{1}{4}$	8.0 ACRES

SECTION 29

JONES	SE $\frac{1}{4}$ SE $\frac{1}{4}$	5.0 ACRES
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SECTION 30

L. FLETCHER            NE $\frac{1}{4}$  NE $\frac{1}{4}$     4.0 ACRES  
 L. FLETCHER            SE $\frac{1}{4}$  NE $\frac{1}{4}$     4.0 ACRES  
 GABRIEL                SE $\frac{1}{4}$  NW $\frac{1}{4}$     5.0 ACRES  
 SECTION 34

YASUI                    SE $\frac{1}{4}$  NE $\frac{1}{4}$     20.0 ACRES  
 DAVIS                    NW $\frac{1}{4}$  NW $\frac{1}{4}$     6.0 ACRES  
 SECTION 35

COOPER                 NE $\frac{1}{4}$  NE $\frac{1}{4}$     5.0 ACRES  
 OATES & COLLINS      NW $\frac{1}{4}$  NE $\frac{1}{4}$     13.0 ACRES  
 CULBERTSON            SW $\frac{1}{4}$  NE $\frac{1}{4}$     2.0 ACRES  
 SWYERS                 SE $\frac{1}{4}$  NE $\frac{1}{4}$     3.0 ACRES  
 SECTION 36

TOWNSHIP 2 NORTH, RANGE 10 EAST, W.M.

COUNTY PARK            SW $\frac{1}{4}$  NW $\frac{1}{4}$     14.0 ACRES  
 SECTION 6

LEAVANS                NE $\frac{1}{4}$  NE $\frac{1}{4}$     2.0 ACRES  
 NAFTSIGER              NW $\frac{1}{4}$  NE $\frac{1}{4}$     1.0 ACRE  
 SECTION 7

SWYERS                 NW $\frac{1}{4}$  SE $\frac{1}{4}$     3.0 ACRES  
 SWYERS                 SW $\frac{1}{4}$  SE $\frac{1}{4}$     13.0 ACRES  
 SECTION 19

LAUGHLIN              NW $\frac{1}{4}$  NE $\frac{1}{4}$     10.0 ACRES  
 ELDER                   SE $\frac{1}{4}$  NW $\frac{1}{4}$     9.0 ACRES  
 SPANGLER              NE $\frac{1}{4}$  SW $\frac{1}{4}$     5.0 ACRES  
 SECTION 30

TOWNSHIP 2 NORTH, RANGE 11 EAST, W.M.

HAZELTINE              NE $\frac{1}{4}$  NW $\frac{1}{4}$     2.0 ACRES  
 GARY & OGOWA         NW $\frac{1}{4}$  NW $\frac{1}{4}$     2.0 ACRES  
 SECTION 31

TOWNSHIP 3 NORTH, RANGE 11 EAST, W.M.

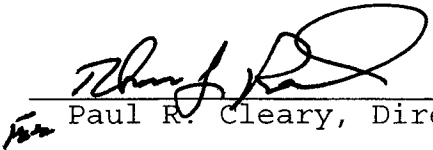
\* = PLACE OF USE INVOLVED IN THE CHANGE

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

1. The former place of use shall no longer be irrigated as a part of this water right.
2. All other terms and conditions of the permit remain the same.

Permit 43395, in the name of EAST FORK IRRIGATION DISTRICT, is amended as described herein.

WITNESS the signature of the Water Resources  
Director, affixed SEP 24 2002.

  
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Paul R. Cleary, Director