

STATE OF OREGON

COUNTY OF HOOD RIVER

ORDER APPROVING A CHANGE IN PLACE OF USE  
AND CHARACTER 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 9129 submitted by

EAST FORK IRRIGATION DISTRICT  
P.O. BOX 162  
ODELL, OREGON 97041.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for HOOD RIVER County as evidenced by a PORTION of Certificate 74642. The decree is recorded in the Order Record of the Water Resources Director in Volume 17, at Page 333. The date of priority is NOVEMBER 25, 1895.

The right allows the use of the waters of EAST FORK HOOD RIVER, a tributary of HOOD RIVER, for IRRIGATION OF 10.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.135 cubic foot per second, if available at the authorized point of

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.

diversion: NW¼ SW¼, SECTION 4, T 1 S, R 10 E, W.M.; 3750 FEET SOUTH AND 430 FEET EAST FROM THE NW CORNER, SECTION 4, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTION</u>	<u>¼ ¼</u>	<u>TAXLOT</u>	<u>ACRES</u>	<u>OWNER</u>
1N	10E	10	NE SE	200	5.50	Hood Forest Products
1N	10E	10	NE SE	300	4.70	Hood Forest Products
1N	10E	10	NE SE	100	0.60	Hood Forest Products

**TABLE A - Tabulation/Inventory of "FROM LANDS"**

The District requests to permanently change the character of use from irrigation to industrial use and move the rights listed in Table A to locations listed in Table B.

The proposed place of use (sawmill) is located as follows:

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTION</u>	<u>¼ ¼</u>	<u>TAXLOT</u>	<u>OWNER</u>
1N	10E	10	SE NE	1000/1100	Hood Forest Products
1N	10E	10	NE SE	100	Hood Forest Products
1N	10E	11	NW NW	300	Hood Forest Products
1N	10E	11	SW NW	400/601	Hood Forest Products

**TABLE B - Tabulation/Inventory of "TO LANDS"**

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 certificate or decree.

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

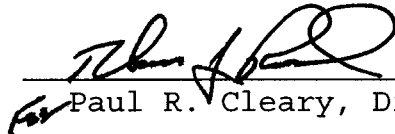
1. The proposed change shall be completed on or before October 1, 2003.

2. When required by the Department, the water user or irrigation district shall operate and maintain the headgate and measuring device, as needed. The water user or irrigation district shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor the accuracy of the measuring device, as needed.
3. The former place of use shall no longer be irrigated as a part of this water right.
4. Except as modified herein, all other conditions and restrictions of Certificate 74642 and the Hood River Decree remain in effect. **The use allowed herein is limited to an amount actually beneficially used and shall not exceed 0.135 cubic foot per second, with a period of allowed use restricted to the season April 1 to October 1 of each year. The use shall not exceed a total diversion of 32.4 acre feet per season.**

When the Director determines that it is necessary, or to facilitate records keeping, a new certificate will be issued to confirm all completed changes for which satisfactory proof has been made and to confirm that portion of the right not modified by this or any other order.

WITNESS the signature of the Water Resources

Director, affixed SEP 25 2002.

  
Paul R. Cleary, Director