

STATE OF OREGON

COUNTY OF WASCO

ORDER APPROVING A CHANGE IN PLACE 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 7334 submitted by

GARY E. AND ROXANNE C. TEMPLIN
56217 MERRELL ROAD
MAUPIN, OREGON 97037.

The right to be modified, as evidenced by a portion of Certificate 52413, was perfected under Permit 28619 with a date of priority of FEBRUARY 11, 1963. The right allows the use of AN UNNAMED STREAM AND RESERVOIR CONSTRUCTED UNDER PERMIT R-3212, a tributary of WHITE RIVER, for IRRIGATION OF 21.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.53 cubic foot per second, if available at the authorized point of diversion: NW¼ NW¼, SECTION 26, T 4 S, R 13 E, W.M.; 40 FEET SOUTH AND 750 FEET EAST FROM NW CORNER, SECTION 26, or its equivalent in case of rotation, measured at the point of diversion from the source.

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 183.484. 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 amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season from direct flow and storage from reservoir constructed under Permit R-3212; provided further that the right to use of water is limited to the period when the direct flow of White River is more than 95 cubic feet per second at its mouth.

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

The authorized place of use is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 21.2 ACRES
SECTION 23
TOWNSHIP 4 SOUTH, RANGE 13 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:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 11.9 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 9.3 ACRES
SECTION 23
TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

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

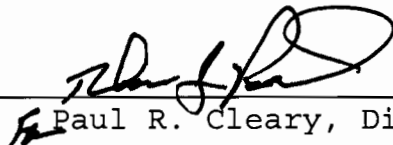
1. The proposed change shall be completed on or before October 1, 2004.
2. The former place of use shall no longer be irrigated as a part of this water right.

3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Certificate 52413 is canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources

Director, affixed JUL 24 2003.



Paul R. Cleary, Director