

STATE OF OREGON

COUNTY OF MORROW

ORDER APPROVING ADDITIONAL POINTS OF DIVERSION

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 6754 submitted by

MALCOLM FRED HOSKINS AND ETAL. (JOHN GRIFFITH, WRANGLERS RIDING CLUB, DAN SNEDDEN, OREGON DEPARTMENT OF FISH AND WILDLIFE, AND WILLOW CREEK COUNTRY CLUB)
53542 HIGHWAY 74
HEPPNER, OREGON 97836.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for MORROW County as evidenced by a PORTION of Certificate 170. The decree is recorded in the Order Record of the Water Resources Director in Volume 1, at Page 73. The dates of priority are MARCH, 1894 FOR 46.2 ACRES AND 1908 FOR 8.9 ACRES.

The right allows the use of WILLOW CREEK, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 55.1 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.92 CUBIC FOOT PER SECOND (CFS), BEING 0.77 CFS FOR PRIORITY DATE MARCH, 1894 AND 0.15 CFS FOR PRIORITY DATE 1908, if available at the authorized points of diversion: 1 - NE¼ NW¼, SECTION 27, T 2 S, R 26 E, W.M.; 960 FEET SOUTH AND 1510 FEET EAST FROM THE NW

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.

CORNER OF SECTION 27; 2 - NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 27, T 2 S, R 26 E, W.M.; 2900 FEET SOUTH AND 3050 FEET EAST FROM THE NW CORNER OF SECTION 27; 3 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 27, T 2 S, R 26 E, W.M.; 750 FEET NORTH AND 100 FEET WEST FROM THE SE CORNER OF SECTION 27, 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 for the same lands, is limited to ONE-SIXTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, during the irrigation season of each year.

The authorized place of use is located as follows:

		PRIORITY <u>MARCH 1894</u>	PRIORITY <u>1908</u>
MALCOLM HOSKINS	NE $\frac{1}{4}$ NW $\frac{1}{4}$	4.3 ACRES	0.2 ACRE
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	4.2 ACRES	
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	4.7 ACRES	
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	14.5 ACRES	5.4 ACRES
JOHN GRIFFITH	SW $\frac{3}{4}$ NE $\frac{1}{4}$	0.4 ACRE	0.6 ACRE
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.0 ACRE	0.1 ACRE
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	1.0 ACRE	
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1.8 ACRES	0.2 ACRE
	SECTION 27		
WRANGLERS RIDING CLUB DON SNEDDEN OREGON DEPARTMENT OF FISH & WILDLIFE WILLOW CREEK COUNTRY CLUB	NE $\frac{1}{4}$ NE $\frac{1}{4}$	0.9 ACRE	0.2 ACRE
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	5.4 ACRES	1.1 ACRES
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	5.3 ACRES	1.1 ACRES
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.7 ACRES	
	SECTION 28		

TOWNSHIP 2 SOUTH, RANGE 26 EAST, W.M.

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 decree.

The applicants propose to add additional points of diversion located:

POD 1 (WILLOW COUNTRY CLUB) - NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 28, T 2 S, R 26 E, W.M.; 300 FEET SOUTH AND 1040 FEET WEST FROM THE NE CORNER OF SECTION 28.

POD 2 (MALCOLM HOSKINS) - SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 27, T 2 S, R 26 E, W.M.; 1810 FEET SOUTH AND 400 FEET WEST FROM THE N $\frac{1}{4}$ CORNER OF SECTION 27.

POD 3 (JOHN GRIFFITH) - SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 27, T 2 S, R 26 E, W.M.; 2510 FEET SOUTH AND 200 FEET EAST FROM THE N $\frac{1}{4}$ CORNER OF SECTION 27.

POD 4 (DAN SNEDDEN & OREGON DEPARTMENT OF FISH AND WILDLIFE) - NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 28, T 2 S, R 26 E, W.M.; 480 FEET SOUTH AND 460 FEET WEST FROM THE NE CORNER OF SECTION 28.

POD 5 (WRANGLERS RIDING CLUB) - NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 28, T 2 S, R 26 E, W.M.; 340 FEET SOUTH AND 1060 FEET WEST FROM THE NE CORNER OF SECTION 28.

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. The quantity of water diverted at the new points of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water lawfully available at the original points of diversion.
3. When required by the Department, the water users shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The type and plans of the headgates and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

4. Water shall be acquired from the same surface water source as the original points of diversion.
5. The water user shall install and maintain fish screens or fish by-pass devices. The type and plans of the screens or by-pass devices must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

Certificate 170 is cancelled. 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 NOV 21 2001.



For Paul R. Cleary, Director