

STATE OF OREGON

COUNTY OF HOOD RIVER

ORDER APPROVING A CHANGE IN PLACE OF USE

Pursuant to ORS 537.211, 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, PERMIT AMENDMENT 8122 submitted by

DICK AND JOYCE KOBAYASHI  
5591 BINNS HILL DRIVE  
HOOD RIVER, OREGON 97031.

The permit to be modified is Permit 52390 with a date of priority of NOVEMBER 1, 1994. The permit allows the use of RESERVOIR KO-1 AND RESERVOIR KO-2 TO BE CONSTRUCTED UNDER APPLICATION R-74845, PERMIT R-11826, for IRRIGATION OF 10.0 ACRES. The volume of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 1.0 ACRE-FEET PER YEAR STORED WATER ONLY, if available at the authorized point of diversion: SW¼ SW¼, SECTION 17, T 2 N, R 10 E, W.M.; RESERVOIR KO-1 - 1140 FEET NORTH AND 990 FEET EAST, RESERVOIR KO-2 - 924 FEET NORTH AND 1056 FEET EAST; BOTH FROM THE SW CORNER OF SECTION 17, or its equivalent in case of rotation, measured at the point of diversion from the source.

NOTICE: Under the provisions of OAR 137-004-0080, the applicant may petition for reconsideration of this order. The petition shall set forth specific grounds for reconsideration. The petition for reconsideration must be filed within 60 days after the date this order is served.

The amount of water used for irrigation, together with the amount secured under an 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.

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 $\frac{1}{4}$  10.0 ACRES  
SECTION 17

TOWNSHIP 2 NORTH, RANGE 10 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 $\frac{1}{4}$  SE $\frac{1}{4}$  9.0 ACRES  
NW $\frac{1}{4}$  SE $\frac{1}{4}$  1.0 ACRE  
SECTION 18

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

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 52390, in the name of DICK KOBAYASHI, is amended as described herein.

WITNESS the signature of the Water Resources  
Director, affixed SEP 07 1999.

  
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For Martha O. Pagel, Director