

STATE OF OREGON

COUNTY OF CROOK

**ORDER APPROVING A CHANGE IN PLACE OF USE
AND A CHANGE IN POINT 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 8648 submitted by

CITY OF PRINEVILLE
400 NE SECOND STREET
PRINEVILLE, OREGON 97754

The first right to be modified, as evidenced by a portion of Certificate 2778, was perfected under Permit 3255 with a date of priority of NOVEMBER 16, 1916. The right allows the use of THE CROOKED RIVER, a tributary of THE DESCHUTES RIVER, for IRRIGATION OF 2.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.03 cubic foot per second, if available at the authorized point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 7, T 15 S, R 16 E, W.M.; S 11° W 957 FEET FROM THE E $\frac{1}{4}$ CORNER OF SECTION 7, or its equivalent in case of rotation, measured at the point of diversion from the source.

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

The second right to be modified, as evidenced by a portion of Certificate 68395, was perfected under Permit 25991 with a date of priority of APRIL 8, 1914. The right allows the use of THE CROOKED RIVER AND PRINEVILLE RESERVOIR CONSTRUCTED UNDER PERMIT R-2223, a tributary of THE DESCHUTES RIVER, for SUPPLEMENTAL IRRIGATION OF 2.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually

This is a final 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.

beneficially used and shall not exceed 0.03 cubic foot per second, if available at the authorized point of diversion: DIRECT DIVERSION 17 - NE¼ SE¼, SECTION 6, T 15 S, R 16 E, W.M.; 1980 FEET NORTH AND 510 FEET WEST FROM THE SE CORNER, SECTION 6, 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- FORTIETH 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 4.0 acre-feet for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Permit R-2223, and shall be further required to maintain a contract between the Ochoco Irrigation District and the Bureau of Reclamation.

The authorized place of use is located as follows:

SE¼ NE¼ 2.5 ACRES
SECTION 6

TOWNSHIP 15 SOUTH, RANGE 16 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:

LOT 2 (NW¼ NE¼) 0.1 ACRE
SW¼ NE¼ 0.1 ACRE
LOT 3 (NE¼ NW¼) 0.1 ACRE
SE¼ NW¼ 2.2 ACRES
SECTION 6

TOWNSHIP 15 SOUTH, RANGE 16 EAST, W.M.

The applicant proposes to change the points of diversion to:

SE¼ NW¼, SECTION 6, T 15 S, R 16 E, W.M.; 1540 FEET SOUTH AND 3165 FEET WEST FROM THE NE CORNER, SECTION 6.

THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

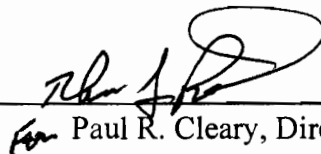
1. The proposed changes shall be completed on or before October 1, 2003.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. When required 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.
5. Water shall be acquired from the same surface water source as the original point of diversion.
6. The former place of use shall no longer be irrigated as a part of this water right.

Certificate 2778 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.

Except as modified herein, all other conditions and restrictions on Certificate 68395 remain in effect.

When the Director determines that it is necessary, or to facilitate records keeping, a new certificate replacing Certificate 68395 will be issued to confirm all completed changes for which satisfactory proof has been made and to confirm those portions of the right not modified by this or any other order.

WITNESS the signature of the Water Resources Director, affixed **NOV 16 2001**



for Paul R. Cleary, Director