

STATE OF OREGON

COUNTY OF GRANT

ORDER APPROVING AN ADDITIONAL 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 8533 submitted by

DAVID FAVRE
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The FIRST right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for GRANT County as evidenced by an order of the Water Resources Director, entered July 21, 1998, at Special Order Volume 52, Page 685, approving Transfer 7401. The decree is recorded in the Order Record of the Water Resources Director in Volume 15, at Page 461. The date of priority is 1887.

The right allows the use of the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 24.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.62 cubic foot

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.

per second, if available at the authorized points of diversion: NW¼ NE¼, SECTION 27, T 13 S, R 29 E, W.M.; 50 FEET SOUTH AND 3380 FEET EAST FROM THE NW CORNER, SECTION 27 and SW¼ NE¼, SECTION 20, T 13 S, R 29 E, W.M.; 2110 FEET SOUTH AND 2240 FEET WEST FROM THE NE CORNER, SECTION 20, or its equivalent in case of rotation, measured at the points 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 irrigated from April 1 to September 30; further limited to one acre-foot per acre per calendar month to July 1 and 3/4 acre-foot per acre thereafter; total five acre-feet per acre per season, measured at the points of diversion.

The authorized place of use is located as follows:

SW¼ NE¼	8.8 ACRES
SE¼ NE¼	7.5 ACRES
SE¼ NW¼	8.5 ACRES

SECTION 20
TOWNSHIP 13 SOUTH, RANGE 29 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 SECOND right to be modified, as evidenced by an order of the Water Resources Department, entered July 21, 1998, at Special Order Volume 52, Page 685, approving Transfer 7401, was perfected under Permit 47460 with a date of priority of MARCH 30, 1983. The right allows the use of water from the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 8.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.21 cubic foot per second, if available at the authorized points of diversion: NW¼ NE¼, SECTION 27, T 13 S, R 29 S, W.M.; 50 FEET

SOUTH AND 3380 FEET EAST FROM THE NW CORNER, SECTION 27 and SW¼ NE¼, SECTION 20, T 13 S, R 29 E, W.M.; 2110 FEET SOUTH AND 2240 FEET WEST FROM THE NE CORNER, SECTION 20, or its equivalent in case of rotation, measured at the points of diversion from the source.

The authorized place of use is located as follows:

SW¼ NE¼	2.9 ACRES
SE¼ NE¼	5.2 ACRES
SE¼ NW¼	0.4 ACRE

SECTION 20
TOWNSHIP 13 SOUTH, RANGE 29 EAST, W.M.

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

The applicant proposes to add an additional point of diversion to:

SE¼ NE¼, SECTION 20, T 13 S, R 29 E, W.M.; 2330 FEET SOUTH AND 350 FEET WEST FROM THE NE CORNER, SECTION 20.

THIS CHANGE TO EXISTING WATER RIGHTS 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 point of diversion, together with that diverted at the old point 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.

4. Water shall be acquired from the same surface water source as the original point of diversion.
5. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device 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.

Satisfactory proof of the completed change approved by Transfer 7401 has been received.

When satisfactory proof of the completed change approved by this order is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources

Director, affixed DEC 06 2001.


for Paul R. Cleary, Director