

STATE OF OREGON

COUNTY OF CROOK

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 6413 submitted by

WILLIAM A. AND KAREN SIGMAN  
10501 NW O'NEIL HIGHWAY  
PRINEVILLE, OREGON 97754

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for CROOK County as evidenced by a PORTION of Certificate 72947. The decree is recorded in the Order Record of the Water Resources Director in Volume 1, at Page 449. The dates of priority are 1880, 1883, and 1897.

The right allows the use of THE CROOKED RIVER, a tributary of THE DESCHUTES RIVER, for IRRIGATION OF 74.8 ACRES AND STOCK USE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.94 CUBIC FOOT PER SECOND AND A REASONABLE AMOUNT FOR STOCK USE, if available at the authorized points of diversion: PEOPLES DITCH COMPANY CANAL - NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 8, T 15 S, R 16 E, W.M.; 730 FEET SOUTH AND 330 FEET EAST FROM THE WEST  $\frac{1}{4}$  CORNER OF SECTION 8; CROOKED RIVER CENTRAL DITCH COMPANY CANAL - NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 27, T 14 S, R 15 E, W.M.; 80 FEET SOUTH AND 1240 FEET EAST FROM THE NORTH  $\frac{1}{4}$  CORNER OF SECTION 27, or its equivalent in

**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.

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-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 4.0 acre-feet for each acre irrigated during the irrigation season of each year.

The second right to be modified, as evidenced by a portion of Certificate 72950, was perfected under Permit 8223 with a date of priority of OCTOBER 22, 1927. The right allows the use of THE CROOKED RIVER, a tributary of THE DESCHUTES RIVER, for IRRIGATION OF 28.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 70.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.27 cubic feet per second, if available at the authorized points of diversion: PEOPLES DITCH COMPANY CANAL - NW¼ SW¼, SECTION 8, T 15 S, R 16 E, W.M.; 730 FEET SOUTH AND 330 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 8; CROOKED RIVER CENTRAL DITCH COMPANY CANAL - NW¼ NE¼, SECTION 27, T 14 S, R 15 E, W.M.; 80 FEET SOUTH AND 1240 FEET EAST FROM THE NORTH ¼ 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 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 during the irrigation season of each year.

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

The authorized places of use are located as follows:

CERTIFICATE 72947

			<u>1880</u>	<u>1893</u>	<u>1897</u>
NE¼ SW¼	TL 400	30.6 ACRES			1.8 ACRES
NW¼ SW¼	TL 401			4.2 ACRES	
NW¼ SE¼	TL 401	38.2 ACRES			
SECTION 20					

TOWNSHIP 14 SOUTH, RANGE 15 EAST, W.M.

PERMIT 8223

			<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW¼ NE¼	TL 400	16.7	ACRES	
SE¼ NW¼	TL 400	12.1	ACRES	
NE¼ SW¼	TL 400			32.4 ACRES
NW¼ SE¼	TL 401			38.2 ACRES

SECTION 20

TOWNSHIP 14 SOUTH, RANGE 15 EAST, W.M.

For decreed lands, 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. For permitted lands, the right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

The applicant proposes an additional point of diversion located:

SW¼ NE¼, SECTION 20, T 14 S, R 15 E, W.M.; 634 FEET NORTH AND 2840 FEET EAST, FROM THE W¼ CORNER OF 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 additional 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.

Except as modified herein, all other conditions and restrictions on Certificates 72947 and 72950 remain in effect.

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

WITNESS the signature of the Water Resources Director, affixed

DEC 19 2001

  
For Paul R. Cleary, Director