

STATE OF OREGON

COUNTY OF CROOK

ORDER APPROVING A CHANGE IN PLACE OF USE

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 8548 submitted by

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3201 SW HOUSTON LAKE ROAD
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 76012. The decree is recorded in the Order Record of the Water Resources Director in Volume 1, at Page 449. The date of priority is 1893.

The right allows the use of the CROOKED RIVER, a tributary of the DESCHUTES RIVER, for IRRIGATION OF 10.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.125 cubic foot per second, if available at the authorized point of diversion: PEOPLES DITCH - NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 8, T 15 S, R 16 E, W.M.; 1920 FEET NORTH AND 340 FEET EAST FROM THE SW CORNER OF SECTION 8, or its equivalent in case of rotation, measured at the point of diversion from the source.

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.

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 76013, 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, tributaries of the DESCHUTES RIVER, for IRRIGATION OF 2.7 ACRES AND SUPPLEMENTAL IRRIGATION OF 10.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.3175 cubic foot per second, if available at the authorized point of diversion: BOWMAN DAM - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 11, T 17 S, R 16 E, W.M.; 1650 FEET SOUTH AND 300 FEET EAST FROM THE NW CORNER OF SECTION 11; PEOPLES DITCH - NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 8, T 15 S, R 16 E, W.M.; 1920 FEET NORTH AND 340 FEET EAST FROM THE SW CORNER OF SECTION 8, or its equivalent in case of rotation, measured at the point of diversion from the source, and shall be required to have a contract between the user and the Bureau of Reclamation.

The amount of water used for irrigation, together with the amount secured under any other right existing 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.

The use of water under this right may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

The authorized places of use are located as follows:

CERTIFICATE 76012

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 10.0 ACRES
SECTION 36

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

PERMIT 25991

PRIMARY

SUPPLEMENTAL

SE¼ SW¼ 2.7 ACRES 10.0 ACRES
SECTION 36

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 to change the places of use to:

CERTIFICATE 76012

SE¼ SW¼ 10.0 ACRES
SECTION 36

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

PERMIT 25991

PRIMARY

SUPPLEMENTAL

SE¼ SW¼ 2.7 ACRES 10.0 ACRES
SECTION 36

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

THE CHANGES 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 former places of use shall no longer be irrigated as a part of these water rights.

Except as modified herein, all other conditions and restrictions on Certificates 76012 and 76013 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


Paul R. Cleary, Director
