

STATE OF OREGON

COUNTY OF BAKER

ORDER APPROVING A CHANGE IN PLACE OF USE, CHANGE IN POINT OF DIVERSION,  
AND ADDING 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, TRANSFERS 6403 and 6635 submitted by

PETER W. SCHOENINGH, JR.  
ROUTE 1 BOX 115A  
HAINES, OREGON 97833.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UNION County as evidenced by Certificate 1505, as modified by order of the State Engineer entered January 14, 1940. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 252. The dates of priority are 1887 FOR 67 ACRES AND 1890 FOR 290 ACRES.

The right allows the use of water from NORTH POWDER RIVER, a tributary of POWDER RIVER, for IRRIGATION OF 357 ACRES AND DOMESTIC AND STOCK USE. This right is limited to 8.92 CUBIC-FEET PER SECOND FROM MARCH 1st TO JULY 1st AND 4.46 CUBIC-FEET PER SECOND FROM JULY 1st TO OCTOBER 1st; THE TOTAL QUANTITY DIVERTED DURING EACH IRRIGATION SEASON NOT TO EXCEED 892 ACRE FEET, if available at the authorized points of diversion: BULGER DITCH - SW $\frac{1}{4}$  SE $\frac{1}{4}$ , WILLIAMS DITCH - NE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 18, MANSFIELD DITCH - NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 19, T 7 S, R 38 E, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

SEE NEXT PAGE

1887

1890

MANSFIELD DITCH

WILLIAMS DITCH

SW $\frac{1}{4}$	SW $\frac{1}{4}$		3.0 ACRES
SE $\frac{1}{4}$	SW $\frac{1}{4}$		31.0 ACRES
SW $\frac{1}{4}$	SE $\frac{1}{4}$	38.6 ACRES	1.4 ACRES
SE $\frac{1}{4}$	SE $\frac{1}{4}$		4.0 ACRES

SECTION 7

NE $\frac{1}{4}$	NE $\frac{1}{4}$	13.3 ACRES	2.7 ACRES
NW $\frac{1}{4}$	NE $\frac{1}{4}$	12.1 ACRES	13.9 ACRES
SE $\frac{1}{4}$	NE $\frac{1}{4}$	3.0 ACRES	

BULGER DITCH

E $\frac{1}{2}$	NW $\frac{1}{4}$	80.0 ACRES
NW $\frac{1}{4}$	NW $\frac{1}{4}$	38.0 ACRES
SW $\frac{1}{4}$	NW $\frac{1}{4}$	38.0 ACRES
NE $\frac{1}{4}$	SW $\frac{1}{4}$	40.0 ACRES
NW $\frac{1}{4}$	SW $\frac{1}{4}$	38.0 ACRES

SECTION 18

TOWNSHIP 7 SOUTH, RANGE 39 EAST, W.M.

The applicant proposes to change the point of diversion from the Williams Ditch to the Bulger Ditch and add an additional point of diversion, the Mansfield Ditch. A portion of the above described land is already authorized to use the Mansfield Ditch. The proposed points of diversion are located as follows:

NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 19, T 7 S, R 38 E, W.M.; MANSFIELD DITCH - 3910 FEET SOUTH AND 2900 FEET WEST FROM THE NE CORNER OF SECTION 19;  
 SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 18, T 7 S, R 38 E, W.M.; BULGER DITCH - 730 FEET NORTH AND 1370 FEET WEST FROM THE NE CORNER OF SECTION 19.

The applicant also proposes to change the place of use:

FROM:

1887

1890

SW $\frac{1}{4}$	SE $\frac{1}{4}$	38.6 ACRES	
		SECTION 7	
NE $\frac{1}{4}$	NE $\frac{1}{4}$	13.3 ACRES	
NW $\frac{1}{4}$	NE $\frac{1}{4}$	12.1 ACRES	
SE $\frac{1}{4}$	NE $\frac{1}{4}$	3.0 ACRES	
NE $\frac{1}{4}$	NW $\frac{1}{4}$		9.0 ACRES
NW $\frac{1}{4}$	NW $\frac{1}{4}$		2.0 ACRES
SW $\frac{1}{4}$	NW $\frac{1}{4}$		4.0 ACRES
SE $\frac{1}{4}$	NW $\frac{1}{4}$		33.0 ACRES
NE $\frac{1}{4}$	SW $\frac{1}{4}$		19.0 ACRES

SECTION 18

TOWNSHIP 7 SOUTH, RANGE 39 EAST, W.M.

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TO:

1887

1890

SW $\frac{1}{4}$ SE $\frac{1}{4}$		38.6 ACRES
SECTION 7		
NE $\frac{1}{4}$ NE $\frac{1}{4}$		13.3 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$		12.1 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$		3.0 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	9.0 ACRES	
NW $\frac{1}{4}$ NW $\frac{1}{4}$	2.0 ACRES	
SW $\frac{1}{4}$ NW $\frac{1}{4}$	4.0 ACRES	
SE $\frac{1}{4}$ NW $\frac{1}{4}$	33.0 ACRES	
NE $\frac{1}{4}$ SW $\frac{1}{4}$	19.0 ACRES	

SECTION 18

TOWNSHIP 7 SOUTH, RANGE 39 EAST, W.M.

The result of these transfers will be for the place of use and points of diversion to be as follows:

	<u>1887</u>	<u>1890</u>
	<u>MANSFIELD &amp; BULGER DITCHES</u>	<u>MANSFIELD &amp; BULGER DITCHES</u>
SW $\frac{1}{4}$ SW $\frac{1}{4}$		3.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$		31.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$		40.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$		4.0 ACRES
SECTION 7		
NE $\frac{1}{4}$ NE $\frac{1}{4}$		16.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$		26.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$		3.0 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	9.0 ACRES	31.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	2.0 ACRES	36.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	4.0 ACRES	34.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	33.0 ACRES	7.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	19.0 ACRES	21.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$		38.0 ACRES

SECTION 18

TOWNSHIP 7 SOUTH, RANGE 39 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.

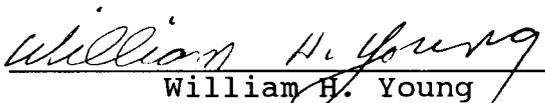
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THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1993.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water 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.

Certificate 1505 is cancelled. 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.

WITNESS the signature of the Water Resources Director, affixed  
APRIL 3, 1992.

  
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William H. Young

Recorded in Special Order Records at Volume 46, Page 166.

T-6403 AND 6635.LHN