

STATE OF OREGON

COUNTY OF DESCHUTES

ORDER APPROVING 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 TRANSFER 6322 submitted by

DAN FOUTS  
19960 TUMALO ROAD  
BEND, OREGON 97701

to use the waters of the DESCHUTES RIVER, a tributary of the COLUMBIA RIVER, for the purpose of IRRIGATING 0.2 ACRE.

The right to be transferred, as evidenced by certificate 29926, was perfected under Permit 3438 with a date of priority of JULY 19, 1917. This right is limited to 0.003 cubic foot per second, if available at the original point of diversion: DUNN DITCH, or its equivalent in case of rotation, measured at the point of diversion from the river.

The new point of diversion is located as follows:

SE 1/4 SE 1/4, SECTION 30, T 16 S, R 12 E, W.M.; 86 FEET NORTH AND 1154 FEET WEST FROM THE SE CORNER OF SECTION 30.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 4.0 acre-feet for each acre irrigated during the irrigation season of each year.

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

A description of the place of use is as follows:

SE 1/4 SE 1/4 0.19 ACRE  
SECTION 30

NE 1/4 NE 1/4 0.01 ACRE  
SECTION 31

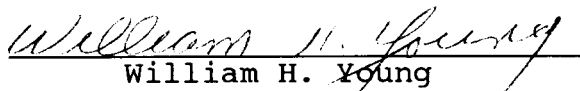
TOWNSHIP 16 SOUTH, RANGE 12 EAST, W.M.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

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

1. The proposed change is complete. The claim of beneficial use shall be submitted in accordance with the transmittal letter.
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 29926 is canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this and other transfers. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

  
William H. Young

Recorded in Special Order Records at Volume 44, Page 178.

WITNESS the signature of the Water Resources Director, affixed APRIL 13, 1990.

T-6322.TES