

STATE OF OREGON

COUNTY OF WASCO

ORDER APPROVING ADDITIONAL POINTS 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 6435 submitted by

CHARLES SANDOZ  
5810 MILL CREEK ROAD  
THE DALLES, OREGON 97058.

The rights to be modified were confirmed by decree of the Circuit Court of the State of Oregon for WASCO County as evidenced by PORTIONS of Certificates 5711 and 5713, as modified by orders of the State Engineer entered September 21, 1961, and February 11, 1964, approving Transfer S-138. The decree is recorded in the Order Record of the Water Resources Director in Volume 8, at Page 119. The date of priority is 1855.

The rights allow the use of MILL CREEK, a tributary of COLUMBIA RIVER, for IRRIGATION OF 15.1 ACRES AND 11.9 ACRES.

The amount of water used for irrigation under these rights is limited to a diversion of ONE-SIXTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year, if available, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized point of diversion is located as follows:

NE $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within the Halligan DLC 39, SECTION 13, T 1 N, R 12 E, W.M.; 1600 FEET NORTH AND 1600 FEET EAST FROM THE SW CORNER OF SECTION 13.

The authorized place of use is located as follows:

	<u>1511</u>	<u>1513</u>
NW $\frac{1}{4}$ SW $\frac{1}{4}$	3.8 ACRES	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	5.2 ACRES	9.0 ACRES
	SECTION 13	
SE $\frac{1}{4}$ SE $\frac{1}{4}$	6.1 ACRES	2.9 ACRES
	SECTION 14	
TOWNSHIP 1 NORTH, RANGE 12 EAST, W.M.		

The applicant proposes to add points of diversion to:

SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 14, and NE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 23, T 1 N, R 12 E, W.M.; 210 FEET NORTH AND 1280 FEET WEST, AND 140 FEET SOUTH AND 2640 FEET WEST, FROM THE SW CORNER OF SECTION 13.

SEE NEXT PAGE

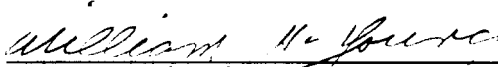
The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

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 points of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the original points 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.

Certificates 5711 and 5713 are cancelled. New certificates will be issued to confirm the portions of these rights NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed  
APRIL 8, 1992.

  
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William H. Young

Recorded in Special Order Records at Volume 46, Page 194.