

**STATE OF OREGON**

**COUNTY OF CROOK**

**ORDER APPROVING A CHANGE IN PLACE OF USE  
AND 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 7360 submitted by

BIG SUMMIT PRAIRIES, INC.  
126 WEST FIRST STREET  
PRINEVILLE, OREGON 97754

The 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 687. The decree is recorded in the Order Record of the Water Resources Director in Volume 1, at Page 449. The decree was amended by decree of the Circuit Court of the State of Oregon for CROOK County date May 4, 1995. The amending decree is recorded in the Order Record of the Water Resources Director in Volume 19, at Page 115. The date of priority is 1893.

The right allows the use of LOOKOUT AND DEEP CREEKS, tributaries of NORTH FORK CROOKED RIVER, for IRRIGATION OF 145.0 ACRES, STOCK, AND DOMESTIC USE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.81 cubic feet per second for irrigation, and a reasonable amount for stock and domestic use, if available at the authorized point of diversion: NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 32, T 14 S, R 21 E, W.M., 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 any other right for the same lands, is limited to a diversion of not to exceed 4.0 acre-feet for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	37.0 ACRES
SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	40.0 ACRES
NE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	30.0 ACRES
NW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub>	38.0 ACRES

SECTION 32

TOWNSHIP 14 SOUTH, RANGE 21 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.

The applicant proposes to change the place of use to:

NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	39.0 ACRES
NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	39.0 ACRES
SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	30.0 ACRES
SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub>	22.0 ACRES
NE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	5.0 ACRES
SE <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	10.0 ACRES

SECTION 21

TOWNSHIP 14 SOUTH, RANGE 21 EAST, W.M.

The applicant proposes to change the point of diversion to:

SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, SECTION 29, T 14 S, R 21 E, W.M.; 160 FEET NORTH AND 2080 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 29.

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

1. The proposed changes shall be completed on or before October 1, 2000.
2. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.

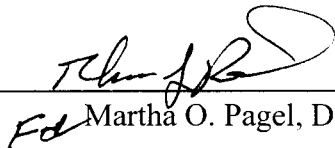
3. The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Fish and Wildlife Department prior to beginning of construction and shall be installed under the general supervision of the Department of Fish and Wildlife.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

5. Water shall be acquired from the same surface water source as the original point of diversion.
6. The former place of use shall no longer be irrigated as a part of this water right.

Certificate 687 is canceled. New certificates will be issued to confirm those portions 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 JAN 11 1999.

  
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Fd Martha O. Pagel, Director