

STATE OF OREGON

COUNTY OF JEFFERSON

**ORDER APPROVING A CHANGE IN PLACE OF USE
IN AN IRRIGATION DISTRICT**

Pursuant to ORS 540.580 (District Transfer of place of use of water within a district) 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 8999 submitted by

NORTH UNIT IRRIGATION DISTRICT
2024 NW BEECH STREET
MADRAS, OREGON 97741.

The first right to be modified, as evidenced by a portion of Certificate 72279, was perfected under Permit 23196 with a date of priority of FEBRUARY 28, 1913. The right allows the use of THE DESCHUTES RIVER, tributary of THE COLUMBIA RIVER, WICKIUP RESERVOIR, CONSTRUCTED UNDER RESERVOIR PERMIT R-1677, AND HAYSTACK RESERVOIR, CONSTRUCTED UNDER RESERVOIR PERMIT R-1754, tributaries of THE DESCHUTES RIVER, for IRRIGATION OF 58.90 ACRES.

The second right to be modified, as evidenced by a portion of Certificate 72281, was perfected under Permit 25921 with a date of priority of JUNE 23, 1955. The right allows the use of THE CROOKED RIVER, a tributary of THE DESCHUTES RIVER, for SUPPLEMENTAL IRRIGATION OF 58.90 ACRES.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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 authorized places of use are located as follows:

TWP	RNG	SEC	QTRQTR	TL	AC	APPLICANT	DIST #
09S	13E	27	NE¼ NW¼	300	0.40	LUELLING FAMILY LIVING TRUST	01-05
09S	13E	27	NE¼ NW¼	300	1.20	LUELLING FAMILY LIVING TRUST	01-09
09S	13E	27	SE¼ NW¼	300	0.70	LUELLING FAMILY LIVING TRUST	01-05
09S	14E	29	SW¼ NW¼	300	7.60	McNEELY, THEODORE REED	01-08
09S	14E	30	SE¼ NE¼	600	19.50	McNEELY, THEODORE REED	01-08
09S	14E	30	NE¼ SE¼	600	5.20	McNEELY, THEODORE REED	01-08
09S	14E	30	NW¼ SE¼	600	8.70	McNEELY, THEODORE REED	01-08
09S	14E	31	NW¼ NE¼	100	4.20	McNEELY, THEODORE REED	01-08
10S	13E	17	NE¼ SW¼	401	0.40	CAMPBELL, DAVID STORNER	01-13
10S	14E	5	SE¼ NW¼	500	2.10	NARTZ, JAMES L.	01-03
11S	13E	14	SW¼ NW¼	3000	0.10	MARTENS, BRUCE R. & PATRICIA K.	01-11
11S	13E	14	SW¼ SE¼	1200	0.50	McDONALD, RONALD H. & JOAN Y.	01-01
11S	13E	14	SW¼ SE¼	1300	5.40	McDONALD, RONALD H. & JOAN Y.	01-01
11S	13E	26	NE¼ NE¼	100	1.40	ALLEN, HAROLD E. & MERLIE M.	01-06
12S	12E	25	NE¼ NE¼	102	1.50	SUNSHINE MARINE, LLC	01-14

The right to use the 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:

TWP	RNG	SEC	QTRQTR	TL	AC	RECIPIENT	DIST #
09S	13E	27	NW¼ NW¼	300	1.10	LUELLING FAMILY LIVING TRUST	01-05
09S	14E	29	NW¼ SW¼	401	7.80	McNEELY, THEODORE REED	01-08
09S	14E	31	NE¼ NE¼	100	16.50	McNEELY, THEODORE REED	01-08
09S	14E	31	SE¼ NE¼	100	20.90	McNEELY, THEODORE REED	01-08

TWP	RNG	SEC	QTRQTR	TL	AC	RECIPIENT	DIST #
10S	13E	26	NW¼ NE¼	200	5.90	MARSTON, ALEX LEON & KATHLEEN B.	01-01
10S	14E	8	SW¼ NW¼	700	1.20	JASA TRUST, BENJAMIN J. & NANCY J.	01-09
10S	14E	9	SE¼ NE¼	101	2.10	FEIGNER, MICHAEL & LAURA	01-03
11S	13E	14	SW¼ NW¼	3000	0.10	MARTENS, BRUCE R. & PATRICIA K.	01-11
11S	13E	14	SW¼ NW¼	3000	0.40	MARTENS, BRUCE R. & PATRICIA K.	01-13
11S	13E	32	NE¼ NE¼	300	1.40	VANEK, ROBERT W. & ROBERTA S.	01-06
12S	13E	16	SW¼ SE¼	600	1.50	HUTSON, ROBERT & BONNIE	01-14

The third right to be modified, as evidenced by a portion of Certificate 72283, was perfected under Permit 33954 with a date of priority of SEPTEMBER 18, 1968. The right allows the use of THE CROOKED RIVER, a tributary of THE DESCHUTES RIVER, for IRRIGATION OF 53.50 ACRES.

The authorized places of use are located as follows:

TWP	RNG	SEC	QTRQTR	TL	AC	APPLICANT	DIST #
09S	14E	29	NW¼ SW¼	401	7.80	McNEELY, THEODORE REED	01-08
09S	14E	31	NE¼ NE¼	100	16.50	McNEELY, THEODORE REED	01-08
09S	14E	31	SE¼ NE¼	100	20.90	McNEELY, THEODORE REED	01-08
10S	14E	9	SE¼ NE¼	101	0.40	FEIGNER, MICHAEL & LAURA	01-02
11S	13E	11	SW¼ SE¼	900	0.30	MATTHEWS, BERT J. & RUTH	01-04
11S	13E	14	SW¼ NW¼	3000	0.20	MARTENS, BRUCE R. & PATRICIA K.	01-12
11S	13E	14	SW¼ SE¼	1200	0.40	McDONALD, RONALD H. & JOAN Y.	01-01
11S	13E	28	SW¼ SW¼	600	2.10	VANEK, ROBERT W. & ROBERTA S.	01-07
11S	13E	32	NE¼ NE¼	300	1.40	VANEK, ROBERT W. & ROBERTA S.	01-07
12S	12E	25	NE¼ SE¼	300	2.00	BREACH, MARVIN & TAMMY	01-10
12S	13E	16	SW¼ SE¼	600	1.20	HUTSON, ROBERT & BONNIE	01-16
12S	13E	16	SW¼ SE¼	600	0.30	HUTSON, ROBERT & BONNIE	01-17

The right to use the 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:

TWP	RNG	SEC	QTRQTR	TL	AC	RECIPIENT	DIST #
09S	14E	27	NW¼ NE¼	300	0.30	BROWN, ENOS R. & JANICE R.	01-04
09S	14E	27	NW¼ NE¼	300	1.20	BROWN, ENOS R. & JANICE R.	01-16
09S	14E	29	SW¼ NW¼	300	7.60	McNEELY, THEODORE REED	01-08
09S	14E	30	SE¼ NE¼	600	19.50	McNEELY, THEODORE REED	01-08
09S	14E	30	NE¼ SE¼	600	5.20	McNEELY, THEODORE REED	01-08
09S	14E	30	NW¼ SE¼	600	8.70	McNEELY, THEODORE REED	01-08
09S	14E	31	NW¼ NE¼	100	4.20	McNEELY, THEODORE REED	01-08
10S	13E	26	NW¼ NE¼	200	0.40	MARSTON, ALEX LEON & KATHLEEN B.	01-01
10S	14E	4	NE¼ SE¼	300	0.20	FESSLER, LEROY C. & JANICE T.	01-12
10S	14E	9	SE¼ NE¼	101	0.40	FEIGNER, MICHAEL & LAURA	01-02
11S	13E	32	NE¼ NE¼	300	3.50	VANEK, ROBERT W. & ROBERTA S.	01-07
12S	12E	25	NW¼ SE¼	300	2.00	BREACH MARVIN & TAMMY	01-10
12S	13E	16	SW¼ SE¼	600	0.30	HUTSON, ROBERT & BONNIE	01-17

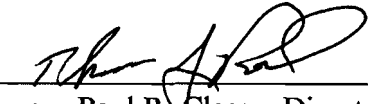
THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2003.
2. The former places of use shall no longer be irrigated as a part of these water rights.
3. Proof to the satisfaction of the Director, that the changes approved by this order have been completed must be submitted by NORTH UNIT IRRIGATION DISTRICT on or before October 1, 2004.

Except as modified herein, all other conditions and restrictions of Certificates 72279, 72281, and 72283 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 APR 22 2002



For Paul R. Cleary, Director