

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, as conditioned or limited herein, TRANSFER 6692 submitted by

WALTER C. BABCOCK
DESCHUTES RECLAMATION AND IRRIGATION COMPANY
P.O. BOX 5126
BEND, OREGON 97708-5126.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for DESCHUTES County as evidenced by a PORTION of Certificate 29054, as modified by an order of the State Engineer entered March 6, 1967 approving Transfer R-90, and an order of the Water Resources Director entered May 27, 1987 approving Transfer 5839. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 282, and Volume 16, at pages 1 and 390. The date of priority is SEPTEMBER 1, 1899.

The right allows the use of the DESCHUTES RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 11.0 ACRES. This right is limited to 0.08 cfs from April 1 to May 1, 0.10 cfs from May 1 to May 15, 0.19 cfs from May 15 to September 15, 0.10 cfs from September 15 to October 1, and 0.08 cfs from October 1 to November 1, of each year, if available at the original point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 29, T 17 S, R 12 E, W.M.; SWALLEY CANAL - N 36° 45' W, 1056 FEET FROM THE E $\frac{1}{4}$ CORNER OF SECTION 29, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized points of diversion are located as follows:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 20, T 17 S, R 12 E, W.M.; 270 FEET SOUTH AND 610 FEET EAST FROM THE NW CORNER OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$

SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 16, T 16 S, R 12 E, W.M.; 390 FEET NORTH AND 475 FEET WEST FROM THE CENTER OF SECTION 16.

The authorized place of use is being remapped under the provisions of ORS 541.325 to 541.333. Interim transfers filed by the irrigation company indicate the place of use is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 10.5 ACRES
SECTION 29

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.1 ACRE
SECTION 30

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.4 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 and is subject to all other conditions and limitations contained in the decree.

The applicant proposes to change the point of diversion to:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 30, T 16 S, R 12 E, W.M.; 1226.52 FEET NORTH AND 100 FEET WEST FROM THE SE CORNER OF SECTION 30.

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, 1994.
2. The quantity of water diverted at the new point of diversion, together with that diverted at other diversions, shall not exceed the quantity of water 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 or irrigation company shall operate and maintain the headgate and measuring device, as needed. The water user or irrigation company shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

Certificate 29054 has been cancelled. Upon completion of the process described in ORS 541.325 to 541.333, and upon receipt of satisfactory proof of the completed change, a new certificate confirming this water right and others within the irrigation company will be issued.

WITNESS the signature of the Water Resources Director,
affixed JUNE 4, 1993.



Martha O. Pagel

Recorded in Special Order Records at Volume 47, Page 236 .

T-6692.LHN