

STATE OF OREGON

COUNTY OF DESCHUTES

ORDER APPROVING A CHANGE IN POINT OF DIVERSION AND PLACE OF USE

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 6362 submitted by

DESCHUTES RECLAMATION AND IRRIGATION COMPANY
PO BOX 5126
BEND, OREGON 97708
FOR BRUCE AND GARY BARRETT

to use the waters of the DESCHUTES RIVER, a tributary of the COLUMBIA RIVER, for the purpose of IRRIGATING 15.0 ACRES.

The right to be transferred was confirmed by decree of the Circuit Court of the State of Oregon for DESCHUTES County as evidenced by certificate 29054. The decree is recorded in the Order Record of the WATER RESOURCES DIRECTOR in Volume 16, at page 161. The date of priority is SEPTEMBER 1, 1899.

This right is limited to: 0.10 cubic foot per second during April and October; 0.14 cfs May 1 to May 15 and September 15 to October 1; and 0.26 cfs May 15 to September 15, if available at the original point of diversion: Swalley Irrigation Lateral - SE 1/4 NE 1/4, SECTION 29, T 17 S, R 12 E. W.M., 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.: 192 FEET NORTH AND 1069 FEET WEST FROM THE SE CORNER OF SECTION 30.

The amount of water used for irrigation under this right is limited to the rate and duty, without ditch losses, established by the decree of the Circuit Court for Deschutes County dated March 24, 1933.

A description of the new place of use is as follows:

SW 1/4 SW 1/4 1.66 ACRES
SECTION 29

SE 1/4 SE 1/4 8.25 ACRES
SECTION 30

NE 1/4 NE 1/4 5.04 ACRES
SECTION 31

NW 1/4 NW 1/4 0.05 ACRE
SECTION 32
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.

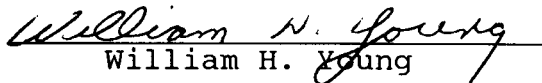
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1991.
2. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the original point of diversion, the Swalley Canal.
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 following former place of use shall no longer be irrigated as a part of this water right:

SE 1/4 SE 1/4 15.0 ACRES
SECTION 27
TOWNSHIP 16 SOUTH, RANGE 12 EAST, W.M.

When proof to the satisfaction of the Water Resources Director of the completed change is received, the change shall be considered perfected. At a later date, a new certificate shall be issued to the Swalley Irrigation District confirming this and other changes within the District.

WITNESS the signature of the Water Resources Director, affixed May 29, 1990.


William H. Young

Recorded in Special Order Records at Volume 44, Page 269.

T-6362.TES