

STATE OF OREGON

COUNTY OF JEFFERSON

ORDER APPROVING CHANGES IN 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 6311 submitted by

WILLIAM R. AND CAROLYN R. DURETTE
8831 NE CLEMENS
MADRAS, OREGON 97741

to use the waters of the DESCHUTES RIVER and the CROOKED RIVER, tributaries of the COLUMBIA RIVER, for the purpose of the PRIMARY AND SUPPLEMENTAL IRRIGATION OF 43.0 ACRES.

The rights to be transferred, as evidenced by certificates 51231 and 51232, in the name of North Unit Irrigation District, were perfected under Permits 23196 and 25921 with dates of priority of February 28, 1913 and June 23, 1955. The primary right is limited to 0.95 cubic foot per second, or its equivalent in case of rotation, measured at the point of diversion from the DESCHUTES RIVER. The supplemental right granted the use of 0.172 CFS of water from the Crooked River.

The points of diversion are located as follows:

SE 1/4 NE 1/4, Section 29, T 17 S, R 12 E, W.M.; Deschutes River 1700 feet south and 730 feet west from the NE corner of Section 29 and SW 1/4 NE 1/4, Section 13, T 14 S, R 13 E, W.M.; Crooked River - 590 feet north and 2790 feet east from the W 1/4 corner of Section 13.

The amount of water used for irrigation under the primary right is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5 1/4 acre-feet for each acre irrigated during the irrigation season of each year. The supplemental right is limited to a diversion of ONE-FORTIETH CFS (or its equivalent) and 4 ac-ft for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

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

SW 1/4 NE 1/4 23.2 ACRES
SE 1/4 NW 1/4 0.2 ACRE
NE 1/4 SW 1/4 0.4 ACRE
NW 1/4 SE 1/4 19.2 ACRES
SECTION 28
TOWNSHIP 9 SOUTH, RANGE 14 EAST, W.M.

This order also approves the use of SAGEBRUSH CREEK, a tributary of TROUT CREEK, for the purpose of IRRIGATING 43.0 ACRES.

The right to be transferred, as evidenced by certificate 55583, in the names of Melvin and William R. DuRette, was perfected under Permit 36704 with a date of priority of June 20, 1972. The right is limited to 1.07 CFS from Sagebrush Creek.

The point of diversion is 950 feet north and 760 feet west from the SE corner of Section 21 being within the SE 1/4 SE 1/4, Section 21, T 9 S, R 14 E, W.M.

The amount of water used for irrigation under this right is limited to a diversion of ONE-FORTIETH CFS (or its equivalent) and 6.0 ac-ft for each acre irrigated during the irrigation season of each year.

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

NE 1/4 SE 1/4 8.8 ACRES
NW 1/4 SE 1/4 34.2 ACRES
SECTION 21
TOWNSHIP 9 SOUTH, RANGE 14 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.

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, 1991.
2. 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.
3. The following former place of use shall no longer be irrigated from the Deschutes or Crooked Rivers as a part of certificates 51231 and 51232:

NE 1/4 SE 1/4 8.8 ACRES
NW 1/4 SE 1/4 34.2 ACRES
SECTION 21
TOWNSHIP 9 SOUTH, RANGE 14 EAST, W.M.

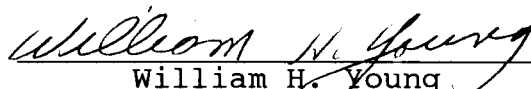
4. The following former place of use shall no longer be irrigated from Sagebrush Creek as a part of certificate 55583:

SW 1/4 NE 1/4 23.2 ACRES
SE 1/4 NW 1/4 0.2 ACRE
NE 1/4 SW 1/4 0.4 ACRE
NW 1/4 SE 1/4 19.2 ACRES
SECTION 28
TOWNSHIP 9 SOUTH, RANGE 14 EAST, W.M.

Certificates 51231, 51232, and 55583 are canceled. New certificates will be issued to North Unit Irrigation District confirming this change and others within the district.

A certificate will be issued to William R. and Carolyn R. DuRette, confirming that portion of certificate 55583, NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued to William R. and Carolyn R. DuRette.

WITNESS the signature of the Water Resources Director, affixed June 18, 1990.


William H. Young

Recorded in Special Order Records at Volume 44, Page 294.

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