

STATE OF OREGON

COUNTY OF CROOK

**ORDER APPROVING CHANGES IN PLACE OF USE
AND POINTS 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 7487 submitted by

CITY OF PRINEVILLE
400 EAST 3RD STREET
PRINEVILLE, OR 97754.

The first 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 74199. The decree is recorded in the Order Record of the Water Resources Director in Volume 1 , at Page 449. The date of priority is 1893.

The right allows the use of the CROOKED RIVER, a tributary of the DESCHUTES RIVER, for IRRIGATION OF 94.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.18 cubic feet per second, if available at the authorized point of diversion: NW¼ SW¼, SECTION 8, T 15 S, R 16 E, W.M.; 1920 FEET NORTH AND 340 FEET EAST FROM THE SW CORNER, SECTION 8, 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 ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.0 acre-feet for each acre irrigated during the irrigation season of each year.

The amount of water used for irrigation together with the amount secured under an other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.0 acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

PRIMARY

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.2 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5.8 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 5.8 ACRES

SECTION 6

TOWNSHIP 15 SOUTH, RANGE 16 EAST, W.M.

SUPPLEMENTAL

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 15.2 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 27.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 9.9 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 15.1 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 19.3 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 8.0 ACRES

SECTION 6

TOWNSHIP 15 SOUTH, RANGE 16 EAST, W.M.

The applicant proposes to change the place of use for a portion of the PRIMARY right to:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 13.0 ACRES

SECTION 13

TOWNSHIP 15 SOUTH, RANGE 15 EAST, W.M.

and to change the diversion point to:

LOT 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), SECTION 1, T 16 S, R 15 E, WM.; 300 FEET SOUTH AND 470 FEET EAST FROM THE N $\frac{1}{4}$ CORNER, SECTION 1.

The authorized place of use is located as follows:

SE ¹ / ₄ NW ¹ / ₄	15.2 ACRES
NE ¹ / ₄ SW ¹ / ₄	27.0 ACRES
SE ¹ / ₄ SW ¹ / ₄	9.9 ACRES
NW ¹ / ₄ SE ¹ / ₄	15.1 ACRES
SW ¹ / ₄ SE ¹ / ₄	19.3 ACRES
SE ¹ / ₄ SE ¹ / ₄	8.0 ACRES

SECTION 6

TOWNSHIP 15 SOUTH, RANGE 16 EAST, W.M.

The applicant proposes to change the place of use to:

NE ¹ / ₄ NE ¹ / ₄	22.7 ACRES
NW ¹ / ₄ NE ¹ / ₄	6.2 ACRES
SW ¹ / ₄ NE ¹ / ₄	16.0 ACRES
SE ¹ / ₄ NE ¹ / ₄	16.6 ACRES
NE ¹ / ₄ SE ¹ / ₄	1.9 ACRES
NW ¹ / ₄ SE ¹ / ₄	1.6 ACRES

SECTION 24

TOWNSHIP 15 SOUTH, RANGE 15 EAST, W.M.

NE ¹ / ₄ NW ¹ / ₄	9.1 ACRES
NW ¹ / ₄ NW ¹ / ₄	20.4 ACRES

SECTION 17

TOWNSHIP 15 SOUTH, RANGE 16 EAST, W.M.

The second right to be modified, as evidenced by a PORTION of Certificate 74201, was perfected under Permit 25991 with a date of priority of April 8, 1914. The right allows the use of the CROOKED RIVER AND PRINEVILLE RESERVOIR, tributaries of the DESCHUTES RIVER, for IRRIGATION OF 14.8 ACRES and SUPPLEMENTAL IRRIGATION OF 94.5 ACRES.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.73 cubic feet per second, if available at the authorized point of diversion: NW¹/₄ SW¹/₄, SECTION 8, T 15 S, R 16 E, WM.; 1920 FEET NORTH AND 340 FEET EAST FROM THE SW CORNER, SECTION 8, or its equivalent in case of rotation, measured at the point of diversion from the source.

The applicant proposes to change the place of use for the remainder of the PRIMARY right to:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.8 ACRES
SECTION 24
TOWNSHIP 15 SOUTH, RANGE 15 EAST, W.M.

and to change the point of diversion to:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 36, T 15 S, R 15 E, WM.; 60 FEET NORTH AND 1940 FEET WEST FROM THE SE CORNER, SECTION 36.

The applicant proposes to change the place of use of the SUPPLEMENTAL right to:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 22.7 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.2 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 16.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 16.6 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.9 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.6 ACRES
SECTION 24
TOWNSHIP 15 SOUTH, RANGE 15 EAST, W.M.

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 9.1 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 20.4 ACRES
SECTION 17
TOWNSHIP 15 SOUTH, RANGE 16 EAST, W.M.

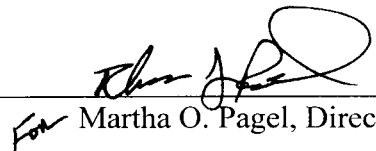
THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

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

3. When required by the Department, the water user shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The types and plans of the headgate and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same surface water source as the original points of diversion.
5. The former places of use shall no longer be irrigated as a part of these water rights.

Certificates 74199 and 74201 are canceled. New certificates will be issued to confirm those portions of the rights NOT involved in this transfer. When satisfactory proof of the completed changes is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed FEB 26 1999.


For Martha O. Pagel, Director

Under the provisions of OAR 137-004-0080, the applicant may petition for reconsideration of this order. The petition shall set forth specific grounds for reconsideration. The petition for reconsideration must be filed within 60 days after the date this order is served.