

STATE OF OREGON

COUNTY OF HOOD RIVER

ORDER APPROVING A CHANGE IN PLACE OF USE
AND CANCELLATION OF A PORTION OF A WATER RIGHT

Pursuant to ORS 540.580, 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 8386 submitted by

FARMERS IRRIGATION DISTRICT
1985 COUNTRY CLUB ROAD
HOOD RIVER, OREGON 97031.

The rights to be modified are evidenced by portions of:

<u>CERTIFICATE</u>	<u>PRIORITY</u>	<u>SOURCE</u>
74298	1874 December 19, 1892 October 6, 1902	Ditch Creek Dead Point Creek Dead Point Creek
74300	1891 1899	Ditch Creek & Parker Springs North Fork Green Point Creek & Spring at Camp No. 4
74299	December 1, 1905	North Fork Green Point Creek South Fork Green Point Creek Dead Point Creek & South Fork Pine Creek
74306	May 7, 1906	Hood River

This is an order other than 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.

74301	February 29, 1924	Capron Spring Inflow, Winan Spring Inflow, Dago Spring Inflow, Savage Spring Inflow, No-Name Spring Inflow, Yumibe Spring Inflow, North Fork Pine Creek, Unnamed Stream & Indian Creek
74304	July 16, 1969	Hood River
76230	April 27, 1989	Rainy Creek, with a deficiency to be made up from Gate Creek, Cabin Creek, Ditch Creek and Deadpoint Creek, Upper and Lower Greenpoint Reservoirs Constructed Under Permit R-698

The District requests to move the rights listed in Table A to locations listed in Table B.

TABLE A

<u>W/R</u>	<u>USE</u>	<u>TWP</u>	<u>RNG</u>	<u>SEC</u>	<u>O/O</u>	<u>TAXLOT</u>	<u>ACRES</u>	<u>OWNER</u>
74306	IRRIG	2N	10E	2	SWSE	4624	6.15	Reinig, Donald V. & Joyce A.
74306	IRRIG	2N	10E	2	SWSE	4801	1.70	MDK Investments
74306	IRRIG	2N	10E	3	SWNW	3301	0.30	James & Heidi West
74298	IRRIG	2N	10E	8	SENE	0601	0.60	Ice Fountain
74300	SUPP	2N	10E	8	SENE	0601	0.60	Water District
74298	IRRIG	2N	10E	9	SWSW	3400	0.35	Alvin & Diane
74301	SUPP	2N	10E	9	SWSW	3400	0.35	Glaze
74304	SUPP	2N	10E	9	SWSW	3400	0.35	
74299	SUPP	2N	10E	9	SWSW	3400	0.35	
74300	SUPP	2N	10E	9	SWSW	3400	0.35	
74298	IRRIG	2N	10E	10	NWNW	1501	0.50	John & Brenda
74301	SUPP	2N	10E	10	NWNW	1501	0.50	Wolf
74304	SUPP	2N	10E	10	NWNW	1501	0.50	
74299	SUPP	2N	10E	10	NWNW	1501	0.50	
74300	SUPP	2N	10E	10	NWNW	1501	0.50	

74306	IRRIG	3N	10E	27	NWSE	0100	1.80	Columbia Gorge Hotel LLC
74306	IRRIG	3N	10E	27	SWSE	0100	0.40	Columbia Gorge Hotel LLC
74306	IRRIG	3N	10E	27	SESW	2100	3.00	Columbia Gorge Hotel LLC
74306	IRRIG	3N	10E	34	SWNE	2100	13.00	Bruce McFarlane
74306	IRRIG	3N	10E	34	SWSE	1900	0.55	James&Kathleen Guthrie
74306	IRRIG	3N	10E	34	SENE	2800	0.20	Randolph&Billy Jean Olmstead
74306	IRRIG	3N	10E	36	SESW	1800	0.05	Watts Building Company
74306	IRRIG	3N	10E	36	SESW	1700	0.10	Watts Building Company

TABLE B

<u>W/R</u>	<u>USE</u>	<u>TWP</u>	<u>RNG</u>	<u>SEC</u>	<u>O/O</u>	<u>TAXLOT</u>	<u>ACRES</u>	<u>OWNER</u>
74306	IRRIG	2N	10E	1	NENW	0404	0.10	Gary Asbridge
74306	IRRIG	2N	10E	2	SESE	7200	2.00	Frances Ann Woody
74306	IRRIG	2N	10E	3	NWSW	2801	0.75	Herb Cole & Allison Parker
74306	IRRIG	2N	10E	3	NWNW	3301	0.30	James & Heidi West
74306	IRRIG	2N	10E	3	NWSW	2803	1.50	Tom Anderson
74306	IRRIG	2N	10E	3	NWSW	2802	0.30	Scott Sloan
74298	IRRIG	2N	10E	9	SWSW	3601	0.35	Alvin & Diane
74301	SUPP	2N	10E	9	SWSW	3601	0.35	Glaze
74304	SUPP	2N	10E	9	SWSW	3601	0.35	
74299	SUPP	2N	10E	9	SWSW	3601	0.35	

74300	SUPP	2N	10E	9	SWSW	3601	0.35	
74306	IRRIG	2N	10E	10	SENE	4200	1.75	Sue Mohn
74306	IRRIG	2N	10E	10	NESE	0501	1.00	Charlotte V. Rhodes
74306	IRRIG	2N	10E	10	NENE	1400	1.90	Intl Church of Four Square
74298	IRRIG	2N	10E	10	NWSW	0900	0.50	Raymond & Jacqueline Shaw
74301	SUPP	2N	10E	10	NWSW	0900	0.50	
74304	SUPP	2N	10E	10	NWSW	0900	0.50	
74299	SUPP	2N	10E	10	NWSW	0900	0.50	
74300	SUPP	2N	10E	10	NWSW	0900	0.50	
74298	IRRIG	2N	10E	10	NWSW	0900	0.60	Raymond & Jacqueline Shaw
74300	SUPP	2N	10E	10	NWSW	0900	0.60	
74306	IRRIG	2N	10E	14	SENW	1800	1.50	Dennis&Patricia Shypertt
74306	IRRIG	2N	10E	15	NWSE	0700	0.30	Randy Acree
74306	IRRIG	3N	10E	27	NWSE	0100	1.80	Columbia Gorge Hotel LLC
74306	IRRIG	3N	10E	27	SWSE	0100	0.40	Columbia Gorge Hotel LLC
74306	IRRIG	3N	10E	27	SESW	0100	0.35	Columbia Gorge Hotel LLC
74306	IRRIG	3N	10E	27	NESW	0100	0.15	Columbia Gorge Hotel LLC
74306	IRRIG	3N	10E	27	SESW	2100	3.00	Larry Visser
74306	IRRIG	3N	10E	33	NWSE	1700	0.30	Loren & Barbara Laney
74306	IRRIG	3N	10E	33	SENE	2601	2.00	Karl & Donna Reuter
74306	IRRIG	3N	10E	34	SENE	2902	0.55	James Sholar & Lynn Lewis

74306	IRRIG	3N	10E	34	SENE	2100	0.10	Spencer & Kim Berry
74306	IRRIG	3N	10E	35	NESE	3100	7.20	St. Mary's Catholic Church

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.

An affidavit was received from Raymond and Jacqueline Shaw, owners of certain land and the water rights appurtenant to it. A portion of one of the water rights has been abandoned and is requested to be canceled.

The abandoned water right is a portion of the right described by Certificate 76230, State Record of Water Right Certificates. The abandoned portion of the water right is for the use of 0.13 cubic foot per second of water from Rainy Creek for the irrigation of 1.10 acres. The priority date is April 27, 1989.

A description of the place of use of the abandoned portion of the right is as follows:

NW¼ SW¼ 1.10 ACRES (Taxlot 0900)
SECTION 10
TOWNSHIP 2 NORTH, RANGE 10 EAST, W.M.

ORS 540.621 provides: "Whenever the owner of a perfected and developed water right certificate under oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the Commission shall enter an order canceling the water right."

THEREFORE, THESE CHANGES TO EXISTING DISTRICT WATER RIGHTS MAY BE MADE SUBJECT TO THE FOLLOWING CONDITIONS:

1. The proposed changes shall be completed on or before October 1, 2001.
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 FARMERS IRRIGATION DISTRICT on or before October 1, 2002.

4. The portion of the water right requested to be canceled as described herein is canceled.
5. Except as modified herein, all other conditions and restrictions of Certificates 74298, 74300, 74299, 74306, 74301, 74304 and 76230 remain in effect.
6. 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 that portion of the right not modified by this or any other order.

WITNESS the signature of the Water Resources

Director, affixed APR 24 2000.


For Martha C. Pagel, Director