

STATE OF OREGON

COUNTY OF WASCO

ORDER APPROVING A CHANGE 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, as conditioned or limited herein, TRANSFER 8360 submitted by

GREGORY L. AND KIMBERLY A. JOHNSON
3050 THREE MILE ROAD
THE DALLES, OREGON 97058.

The right to be modified, as evidenced by a portion of Certificate 46534, was perfected under Permit 18062 with a date of priority of NOVEMBER 14, 1947. The right allows the use of THREEMILE CREEK, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 15.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.19 cubic foot per second, if available at the authorized point of diversion: SW¼ NE¼, SECTION 22, T 1 N, R 13, E, W.M.; 1690 FEET SOUTH AND 430 FEET EAST FROM THE N¼ CORNER OF SECTION 22, 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 existing 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 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

This is an order in other than a 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.

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

The authorized place of use is located as follows:

LOT 1 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) 0.60 ACRE
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 14.90 ACRES
SECTION 22

TOWNSHIP 1 NORTH, RANGE 13 EAST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described.

The applicant proposes to change the place of use to:

LOT 2 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) 10.75 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.75 ACRES
SECTION 22

TOWNSHIP 1 NORTH, RANGE 13 EAST, W.M.

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, 2005.
2. The former place of use shall no longer be irrigated as a part of this water right.

Certificate 46534 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources

Director, affixed DECEMBER 22, 2003.


For Paul R. Cleary, Director