

STATE OF OREGON

COUNTY OF MALHEUR

ORDER APPROVING A CHANGE IN PLACE OF USE
AND POINT 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 7214 submitted by

JOHN AHMANN
DREWSEY, OREGON 97904.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for MALHEUR County as evidenced by a PORTION of Certificate 51736. The decree is recorded in the Order Record of the Water Resources Director in Volume 8, at Page 228. The date of priority is 1881.

The right allows the use of the MIDDLE FORK MALHEUR RIVER, a tributary of the MALHEUR RIVER, for IRRIGATION OF 25.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF ACRE-FEET PER ACRE IN ANY 30 DAY PERIOD PRIOR TO JUNE 1, ONE ACRE-FOOT PER ACRE IN ANY 30 DAY PERIOD AFTER JUNE 1 OF EACH YEAR, OR THREE ACRE FEET PER ACRE DURING ANY SEASON, DIVERTED AT A RATE NOT TO EXCEED ONE-TWENTIETH OF A CUBIC FOOT PER SECOND PER ACRE, if available at the authorized point of diversion: MOFFETT RANCH AND DAM, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

NW¼ SE¼	10.0 ACRES
SW¼ SE¼	8.8 ACRES
SE¼ SE¼	6.7 ACRES

SECTION 18

TOWNSHIP 19 SOUTH, RANGE 34 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.

The applicant proposes to change the place of use to:

SW¼ SW¼ 20.0 ACRES

SE¼ SW¼ 5.0 ACRES

SECTION 8

TOWNSHIP 19 SOUTH, RANGE 34 EAST, W.M.

The applicant proposes to change the point of diversion to:

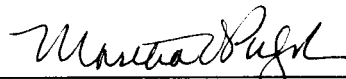
NE¼ SW¼, SECTION 8, T 19 S, R 34 E, WM; 1840 FEET
NORTH AND 2390 FEET EAST FROM THE SW CORNER, SECTION 8.

THESE CHANGES TO AN EXISTING WATER RIGHT 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, 1998.
2. The quantity of water diverted at the new point of
diversion, together with that diverted at the old
diversion, shall not exceed the quantity of water
lawfully available at the original point of diversion.
3. 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.
4. Water shall be acquired from the same surface water
source as the original point of diversion.
5. The former place of use shall no longer be irrigated as a
part of this water right.

Certificate 51736 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 April 14, 1997.



Martha O. Pagel, Director