

STATE OF OREGON

COUNTY OF GRANT

ORDER APPROVING A CHANGE IN USE AND 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 7420 submitted by

DEE ANNA CHILDRESS	THE CONFEDERATED TRIBES OF WARM SPRINGS
P.O. BOX 454	P.O. BOX C
PRAIRIE CITY, OR 97869	WARM SPRINGS, OREGON 97761.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for GRANT County as evidenced by Certificate 25698. The decree is recorded in the Order Record of the Water Resources Director in Volume 15, at Page 461. The date of priority is 1868.

The right allows the use of WATER CRESS SPRINGS IN SLAUGHTERHOUSE GULCH, a tributary of the JOHN DAY RIVER, for MUNICIPAL PURPOSES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.09 cubic foot per second, if available at the authorized point of diversion from the source: Water Cress Springs - SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 1, T 13 S, R 33 E, W.M., Grant County.

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 authorized place of use is located as follows:

The Town of Prairie City, Oregon

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 USE AND PLACE OF USE to:

DEE ANNA CHILDRESS

(TL 101)SW¼ SW¼ - DOMESTIC USE FOR HOUSE #1 & ½ ACRE LAWN/GARDEN

TRIBES OF THE WARM SPRINGS

(TL 100)SW¼ SW¼ - DOMESTIC USE FOR HOUSE #2 & ½ ACRE LAWN/GARDEN

(TL 100)SW¼ SW¼ - DOMESTIC USE FOR HOUSE #3 & ½ ACRE LAWN/GARDEN

(TL 100)SW¼ SW¼ - STOCKWATER FOR TWO BARNS

(TL 100)SW¼ SW¼ - IRRIGATION OF 2.3 ACRES

ALL WITHIN SECTION 1

TOWNSHIP 13 SOUTH, RANGE 33 EAST, W.M.

The amount of water to be appropriated from WATER CRESS SPRINGS IN SLAUGHTERHOUSE GULCH is limited to an amount actually beneficially used and is described as follows:

DOMESTIC USE FOR 3 FAMILIES INCLUDING
½ ACRE LAWN & GARDEN EACH (TOTAL 1.5 ACRES) = 0.02 CFS

STOCKWATER USE WITHIN 2 BARNS = 0.01 CFS

IRRIGATION OF 2.3 ACRES = 0.06 CFS

THESE CHANGES TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USERS:

1. The proposed changes shall be completed on or before October 1, 2004.

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. Water shall no longer be used at the former place of use as a part of this water right.

Certificate 25698 is canceled. When satisfactory proof of the completed changes are received, new certificates confirming this water right will be issued to each landowner described above.

WITNESS the signature of the Water Resources

Director, affixed APR 28 2003.



For Paul R. Cleary, Director