

STATE OF OREGON

COUNTY OF MALHEUR

ORDER APPROVING A CHANGE IN POINTS OF APPROPRIATION

Pursuant to ORS 537.705, 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 6343 submitted by

BISHOP BROTHERS
C/O JOHN BISHOP
2277 BISHOP ROAD
VALE, OREGON 97393.

The right to be modified, as evidenced by Certificate 31610, was perfected under Permit G-1226 with a date of priority of JANUARY 12, 1959. The right allows the use of WELL 1 (SCHLUPE), a tributary of MALHEUR RIVER BASIN, for IRRIGATION OF 14.8 ACRES. The right is limited to 0.19 cubic foot per second, if available at the original well; NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 18, T 19 S, R 44 E, W.M.; 570 FEET SOUTH AND 950 FEET WEST OF THE E $\frac{1}{4}$ OF SECTION 18, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 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 as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.6 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 11.2 ACRES
SECTION 17
TOWNSHIP 19 SOUTH, RANGE 44 EAST, W.M.

The applicant proposes to change the points of appropriation to:

NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 17, T 19 S, R 44 E, W.M.; WELL 1 - 2455 FEET NORTH AND 5130 FEET WEST, WELL 2 - 2620 FEET NORTH AND 4215 FEET WEST, BOTH FROM THE SE CORNER OF SECTION 17.

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

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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, 1993.
2. The quantity of water diverted at the new points of appropriation (wells), together with that diverted at the old point of appropriation, shall not exceed the quantity of water available from the original point of appropriation.
3. When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the 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 aquifer as the original point of appropriation.

Certificate 31610 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 NOVEMBER 6, 1992.



Martha O. Pagel

Recorded in Special Order Records at Volume 46, Page 510 .