

STATE OF OREGON

COUNTY OF UNION

ORDER APPROVING A CHANGE IN 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 7450 submitted by

JAMES PERRY, FRANCES ANDERSON AND JOHN HAFNER  
67120 MILLER LANE  
UNION, OR 97883.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UNION County as evidenced by a PORTION of Certificate 36609. The decree is recorded in the Order Record of the Water Resources Director in Volume 8, at Page 1. The date of priority is 1876.

The right allows the use of CATHERINE CREEK, a tributary of GRANDE RONDE, for IRRIGATION 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 0.64 cubic foot per second, if available at the authorized point of diversion: SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 13, T4S, R39E, WM; 670 feet North and 1516 feet East from SW corner, Section 13, COFFIN DITCH, 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-FORTIETH of one cubic foot per second per acres, or its equivalent for each acres 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.

The authorized place of use is located as follows:

T-7450.VC

Special Order Volume 50, Page 517 .

NE¼ SE¼ 25.5 ACRES  
SECTION 14  
TOWNSHIP 4 SOUTH, RANGE 39 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 point of diversion to: SE¼ SE¼, Section 13, T4S, R39E, W.M.; 786.1 feet North and 456 feet West from the SE corner, Section 13, Dobbs Slough Ditch.

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, 1997.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. 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.

An affidavit was received from Union County Board of Commissioners, the owner of certain land and the water right appurtenant to it. The water right has been abandoned and is requested to be canceled.

The abandoned water right is a portion of the right

described by Certificate 36609, State Record of Water Right Certificates. The abandoned water right is for the use of 0.023 cubic foot per second from Catherine Creek, a tributary of Grande Ronde River. The date of priority is 1867. The abandoned water right is for irrigation.

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

0.9 acre in the NE¼ SE¼, Section 14, Township 4 south, Range 39 East, WM, the land covered by Miller Lane, a Union County road.

ORS 540.621 provides: "Whenever the owner of a perfected and developed water right certifies 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."

The portion of the water right requested to be cancelled as described herein, is cancelled.

Certificate 36609 is canceled. A new certificate will be issued to confirm that portion of the right NOT modified or canceled water right 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 July 30, 1986.

  
for Martha O. Pagel, Director