

STATE OF OREGON

COUNTY OF MALHEUR

ORDER APPROVING CHANGES IN PLACE OF USE
AND POINTS 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 7485 submitted by

DEL REED BERGESON
384 RIPPLE ROAD
ONTARIO, OREGON 97914

FRED HAUN
190 EAST MAIN
WEISER, IDAHO 83672.

The right to be modified, as evidenced by a portion of Certificate 1042, was perfected under Permit 608 with a date of priority of FEBRUARY 20, 1911. The right allows the use of the SNAKE RIVER, 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 0.20 cubic foot per second, if available at the authorized point of diversion: LOT 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), SECTION 2, T 18 S, R 47 E, WM, or its equivalent in case of rotation, measured at the point of diversion from the source.

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 4 (SE $\frac{1}{4}$ SW $\frac{1}{4}$) 15.5 ACRES
SECTION 2
TOWNSHIP 18 SOUTH, RANGE 47 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 applicants propose to change the points of diversion to:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 21; NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28; T 15 S, R 47 E, WM; BERGESON - 270 FEET NORTH AND 445 FEET EAST FROM THE SW CORNER, SECTION 21; HAUN - 750 FEET SOUTH AND 2617 FEET EAST FROM THE NW CORNER, SECTION 28.

The applicants propose to change the places of use to:

BERGESON

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3.63 ACRES
SECTION 21

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.03 ACRE
SECTION 28

TOWNSHIP 15 SOUTH, RANGE 47 EAST, W.M.

HAUN

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.71 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 5.13 ACRES
SECTION 28

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, 1998.
2. The quantity of water diverted at the new points 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. When required by the Department, the water users shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The type and plans of the headgates and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
5. Water shall be acquired from the same surface water source as the original point of diversion.
6. The former place of use shall no longer be irrigated as a part of this water right.

Certificate 1042 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 June 17, 1997.



Martha O. Page, Director