

STATE OF OREGON

COUNTY OF DESCHUTES

**ORDER APPROVING A CHANGE IN USE, PLACE OF USE,
AND AN ADDITIONAL 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 6821 submitted by

RIMROCK WATER IMPROVEMENT DISTRICT
20076 BEAVER LANE
BEND, OREGON 97701.

The right to be modified, as evidenced by Certificate 45382, was perfected under Permit 3438 with a date of priority of JULY 19, 1917. The right allows the use of the DESCHUTES RIVER, a tributary of the COLUMBIA RIVER, for GROUP DOMESTIC FOR 21 FAMILIES. 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: NW¼ SW¼, SECTION 29, T 16 S, R 12 E, W.M.; 140 FEET EAST FROM THE SE CORNER, LOT 12, DESCHUTES RIVER HOME SITES RIMROCK ADDITION, or its equivalent in case of rotation, measured at the point of diversion from the source.

Provided that the right to use of water is limited to the irrigation season from April 1 to November 1, of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

This is a final 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:

NW¼ SW¼
SECTION 29
TOWNSHIP 16 SOUTH, RANGE 12 EAST, W.M.

Land on which water is used is more explicitly described as follows: Lots 2, 3, 4, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 21, 22, 25, 26, Deschutes River Home Sites Rimrock Addition.

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

The applicant proposes to change the use from GROUP DOMESTIC FOR 21 FAMILIES to MUNICIPAL USE, restricted further to non-potable, non-human consumptive uses only.

The applicant proposes to change the place of use to:

NW¼ SW¼
SECTION 29

NE¼ SE¼
SECTION 30
TOWNSHIP 16 SOUTH, RANGE 12 EAST, W.M.

The applicant proposes to add a point of diversion at:

NW¼ SW¼, SECTION 29, T 16 S, R 12 E, W.M.; 1000 FEET SOUTH AND 470 FEET EAST FROM THE W¼ CORNER, SECTION 29.

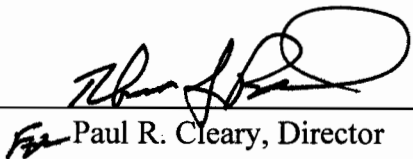
THESE CHANGES TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2003.
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. Prior to diverting water at the new point of diversion, 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.

Certificate 45382 is canceled. 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 JUL 02 2002



Paul R. Cleary, Director