

STATE OF OREGON

COUNTY OF MALHEUR

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 7622 submitted by

JACK F. AND JANET H. DUNCAN AND JOHN D. AND L. PATRICIA HANSEN
89 SW THIRD AVENUE
ONTARIO, OREGON 97914.

The right to be modified, as evidenced by a portion of Certificate 40571, was perfected under Permit 31231 with a date of priority of JUNE 27, 1966. The right allows the use of the SNAKE RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 640.7 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 13.09 cubic foot per second, if available at the authorized point of diversion: LOT 1 (NE¼ NW¼), SECTION 21, T 17 S, R 47 E, WM; 350 FEET SOUTH AND 1980 FEET EAST FROM THE NW CORNER, SECTION 21, 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 an other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.0 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 located as follows:

SW¼ SW¼	32.6 ACRES	NW¼ NE¼	33.4 ACRES
SE¼ SW¼	23.0 ACRES	NE¼ NW¼	40.0 ACRES
SECTION 1		NW¼ NW¼	20.1 ACRES
		NE¼ SW¼	39.2 ACRES
NE¼ SW¼	19.1 ACRES	NW¼ SW¼	16.1 ACRES
SE¼ SW¼	5.9 ACRES	SECTION 12	
NE¼ SE¼	11.6 ACRES		
NW¼ SE¼	11.0 ACRES		
SE¼ SW¼	19.6 ACRES		
SECTION 2			

NW¼ NE¼ 9.0 ACRES
 NE¼ NW¼ 33.5 ACRES
 NW¼ NW¼ 12.4 ACRES
 SW¼ NW¼ 33.8 ACRES

SECTION 13

NE¼ NE¼ 24.0 ACRES
 NW¼ NE¼ 14.6 ACRES
 SW¼ NE¼ 1.4 ACRES
 SE¼ NE¼ 11.6 ACRES

SECTION 17

SE¼ NE¼ 0.9 ACRE
 SECTION 14

NE¼ NE¼ 16.9 ACRES
 SECTION 20

SW¼ NW¼ 12.8 ACRES
 SECTION 15

SE¼ NW¼ 38.8 ACRES
 NE¼ SW¼ 38.2 ACRES

SECTION 21

SW¼ NE¼ 30.0 ACRES
 SE¼ NE¼ 28.2 ACRES
 NW¼ NW¼ 19.4 ACRES
 SW¼ NW¼ 19.8 ACRES
 SE¼ NW¼ 23.8 ACRES

SECTION 16

TOWNSHIP 17 SOUTH, RANGE 46 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 USE and PLACE OF USE of water from 15.8 acres of irrigation to FLOW AUGMENTATION FOR FISH ENHANCEMENT in the channel of the Snake River from the authorized point of diversion in Lot 1 (NE¼ NW¼), Section 21, T 17 S, R 47 E, WM to the Oregon-Washington Border in Lot 1 (SE¼ SE¼), Section 15, T 6 N, R 47 E, WM.

The applicants also propose to change the place of use of 586.6 acres of irrigation to:

SW¼ SW¼ 35.8 ACRES
 SE¼ SW¼ 40.0 ACRES
 SW¼ SE¼ 40.0 ACRES
 SE¼ SE¼ 40.0 ACRES

SECTION 22

NW¼ NE¼ 25.2 ACRES
 SW¼ NE¼ 30.6 ACRES
 NE¼ NW¼ 39.2 ACRES
 NW¼ NW¼ 39.0 ACRES
 SW¼ NW¼ 38.4 ACRES

SE¼ NW¼ 38.2 ACRES

SECTION 26

SW¼ SW¼ 39.8 ACRES
 SE¼ SW¼ 29.8 ACRES
 SW¼ SE¼ 0.8 ACRE

SECTION 23

NE¼ NE¼ 39.2 ACRES
 NW¼ NE¼ 39.2 ACRES
 SW¼ NE¼ 38.6 ACRES
 SE¼ NE¼ 38.4 ACRES
 NE¼ NW¼ 32.7 ACRES

SECTION 27

TOWNSHIP 17 SOUTH, RANGE 46 EAST, W.M.

The receiving water right holder for the portion of the right to be used for flow augmentation fish enhancement is:

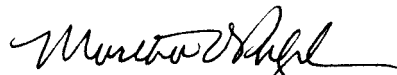
U.S. Department of the Interior
Bureau of Reclamation, Pacific Northwest Region
1150 North Curtis Road
Boise, Idaho 83704

THESE CHANGES 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, 1998.
2. The former place of use shall no longer be irrigated as a part of this water right.
3. The quantity of water used for flow augmentation shall not exceed a rate of 0.32 cfs and a volume of 63.2 acre-feet during the period March 1 to October 31 of each year.
4. The quantity of water used for irrigation shall not exceed a rate of 12.77 cfs and a volume of 2499.6 acre-feet during the irrigation season, March 1 to October 31, of each year.
5. The Water User shall work with the Department to develop and implement a strategy for monitoring the flows used for flow augmentation.

Certificate 40571 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 FEB 25 1997.



Martha O. Pagel, Director