

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 7351 submitted by

R.D. MAC INCORPORATED  
P.O. BOX 1086  
LA GRANDE, OR 97850

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 6299. The decree is recorded in the Order Record of the Water Resources Director in Volume 8, at Page 1. The date of priority is 1869.

The right allows the use of GRANDE RONDE RIVER, a tributary of SNAKE RIVER, for IRRIGATION OF 112.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.8 cubic feet per second, if available at the authorized point of diversion: SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 31, Township 2 South, Range 38 East, WM; 400 feet North and 200 feet East from SW corner, Section 31, 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:

NW¼ NE¼	38.2 ACRES
SW¼ NE¼	34.5 ACRES
NE¼ SE¼	25.0 ACRES
NW¼ SE¼	14.3 ACRES

SECTION 15

TOWNSHIP 3 SOUTH, RANGE 38 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: SW¼ SE¼, Section 32, Township 2 South, Range 38 East, WM; 640 feet North and 190 feet East from S¼ corner, Section 32.

The right also allows the use of MILL CREEK, a tributary of GRANDE RONDE RIVER, for IRRIGATION OF 112.0 ACRES. This portion of the right is NOT modified by this order. The point of diversion for Mill Creek is not affected by this order.

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, 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. The water user shall operate and maintain the headgate and measuring device, as needed. The water user or irrigation district shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.
5. Water shall be acquired from the same surface water source as the original point of diversion.

An affidavit was received from Henry F. Bishop and R.D. Mac, Inc., the owners of certain land and the water right appurtenant to it. A source of water for this water right has been abandoned and is requested to be canceled.

The abandoned water right is a portion of the right described by Certificate 6299, State Record of Water Right Certificates. The abandoned water right is for the use of 2.8 cubic feet per second from Springs on NW $\frac{1}{4}$  SE $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 16, SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 20, Township 3 South, Range 38 East, WM, a tributary of Grande Ronde River. The date of priority is 1869. The abandoned water right is for irrigation.

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

NW $\frac{1}{4}$ NE $\frac{1}{4}$	38.2 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	34.5 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	25.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	14.3 ACRES

SECTION 15  
TOWNSHIP 3 SOUTH, RANGE 38 EAST, W.M.

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

The abandoned water right is a portion of the right described by Certificate 6299, State Record of Water Right Certificates. The abandoned water right is for the use of 0.225 cubic foot per second from Grande Ronde River, Mill Creek, Springs on NW¼ SE¼, NE¼ SW¼, Section 16, SW¼ NE¼, Section 20, Township 3 South, Range 38 East, WM, a tributary of Grande Ronde River. The date of priority is 1869. The abandoned water right is for irrigation.

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

NW¼ NE¼	1.8 ACRES
SW¼ NE¼	3.5 ACRES
NW¼ SE¼	3.7 ACRES

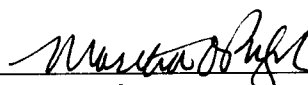
SECTION 15  
TOWNSHIP 3 SOUTH, RANGE 38 EAST, W.M.

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 canceled as described herein, is canceled.

Certificate 6299 is canceled. New certificates 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 OCT 2 1996.



Martha O. Pagel, Director