

STATE OF OREGON

COUNTY OF UNION

ORDER APPROVING A CHANGE IN PLACE OF USE  
AND  
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 7362 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 6196. The decree is recorded in the Order Record of the Water Resources Director in Volume 8, at Page 1. The date of priority is JUNE 1865.

The right allows the use of GRANDE RONDE RIVER, a tributary of SNAKE RIVER, for IRRIGATION OF 74.1 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.85 cubic feet per second, if available at the authorized point of diversion: SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SEC. 32, T2S, R38E, W.M.; 475'N & 660'E FROM S $\frac{1}{4}$  CORNER, SEC. 32 AND SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SEC. 32, T2S, R38E, W.M.; 55'S & 1654'E FROM S $\frac{1}{4}$  CORNER, SEC. 32, 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:

SW $\frac{1}{4}$ SE $\frac{1}{4}$	10.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	27.5 ACRES
SECTION 33	

NW $\frac{1}{4}$ NE $\frac{1}{4}$	19.3 ACRES
NE $\frac{1}{4}$ NE $\frac{1}{4}$	17.3 ACRES
SECTION 4	

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 place of use to:

NW $\frac{1}{4}$  SW $\frac{1}{4}$             40.0 ACRES  
NE $\frac{1}{4}$  SW $\frac{1}{4}$             34.1 ACRES  
SECTION 14  
TOWNSHIP 3 SOUTH, RANGE 38 EAST, W.M.

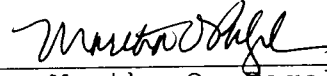
The applicant proposes to change the point of diversion to: SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SEC. 32, T2S, R38E, W.M.; 640'N & 190'E FROM S $\frac{1}{4}$  CORNER, SEC. 32.

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 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.
6. The former place of use shall no longer be irrigated as a part of this water right.

Certificate 6196 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 OCT 2 1996.



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Martha O. Pagel, Director