

STATE OF OREGON

COUNTY OF GRANT

ORDER APPROVING 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 7401 submitted by

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The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for GRANT County as evidenced by a portion of an order of the Water Resources Director, entered July 1, 1994, at Special Order Volume 48, Page 30, approving Transfer 6805. The decree is recorded in the Order Record of the Water Resources Director in Volume 15, at Page 461. The date of priority is 1887.

The right allows the use of the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION 24.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.62 cubic foot per second, if available at the original point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 27, T 13 S, R 29 E, WM; 50 FEET SOUTH AND 3380 FEET EAST FROM THE NW CORNER, SECTION 27, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized point of diversion is located as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 20, T 13 S, R 29 E, WM; 2110 FEET SOUTH AND 2240 FEET WEST OF THE NORTHEAST CORNER OF SECTION 20

The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, irrigated from April 1st to September 30th, or its equivalent for each acre irrigated; and shall be further limited to a diversion ONE acre foot per acre per calendar month to July 1 and 3/4 acre foot per acre thereafter; total of not to exceed FIVE acre-feet for each acre irrigated during the irrigation season of each year.

The second right to be modified, as evidenced by a portion of an order of the Water Resources Director, entered July 1, 1994, at Special Order Volume 48, Page 30, approving Transfer 6805, was perfected under Permit 47460 with a date of priority of March 30, 1983. The right allows the use of the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 8.5 ACRES. This right is limited to 0.21 cubic foot per second, if available at the original point of diversion: NW¼ NE¼, SECTION 27, T 13 S, R 29 E, WM; 50 FEET SOUTH AND 3380 FEET EAST FROM THE NW CORNER, SECTION 27, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized point of diversion is located as follows:

SW¼ NE¼, SECTION 20, T 13 S, R 29 E, WM; 2110 FEET SOUTH AND 2240 FEET WEST OF THE NORTHEAST CORNER OF SECTION 20

The amount of water used for irrigation under this right is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent; and shall be further limited to a diversion of FIVE ACRE-FEET for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

	<u>1887</u>	<u>1983</u>
SW¼ NE¼	8.8 ACRES	2.9 ACRES
SE¼ NE¼	7.5 ACRES	5.2 ACRES
SE¼ NW¼	8.5 ACRES	0.4 ACRE

SECTION 20
TOWNSHIP 13 SOUTH, RANGE 29 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 add an additional point of diversion to:

NW¼ NE¼, SECTION 27, T 13 S, R 29 E, WM; 50 FEET SOUTH AND 3380 FEET EAST OF THE NORTHWEST CORNER OF SECTION 27.

THIS CHANGE TO EXISTING WATER RIGHTS 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, 1999.

2. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. When required by the Department, 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.

Satisfactory proof of the completed change approved by Transfer 6805 has been received.

When satisfactory proof of the completed change approved by this order is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed 7/21/98.



Martha O. Pagel, Director