

STATE OF OREGON

COUNTY OF JEFFERSON

**ORDER APPROVING A CHANGE IN PLACE OF USE
IN AN IRRIGATION DISTRICT**

Pursuant to ORS 540.580 (District Transfer of place of use of water within a district) 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 8128 submitted by

NORTH UNIT IRRIGATION DISTRICT
2024 NW BEECH STREET
MADRAS OR 97741

The first right to be modified, as evidenced by a portion of Certificate 72279, was perfected under Permit 23196 with a date of priority of FEBRUARY 28, 1913. The right allows the use of THE DESCHUTES RIVER, tributary of THE COLUMBIA RIVER, WICKIUP RESERVOIR, CONSTRUCTED UNDER PERMIT R-1677, AND HAYSTACK RESERVOIR, CONSTRUCTED UNDER PERMIT R-1754, tributaries of THE DESCHUTES RIVER, for IRRIGATION OF 136.90 ACRES.

The second right to be modified, as evidenced by a portion of Certificate 72281, was perfected under Permit 25921 with a date of priority of JUNE 23, 1955. The right allows the use of THE CROOKED RIVER, a tributary of THE DESCHUTES RIVER, for SUPPLEMENTAL IRRIGATION OF 136.90 ACRES.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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 places of use are located as follows:

TWP	RNG	SEC	QTR/QTR	TL	AC.	APPLICANT	DIST #
10S	13E	33	NE¼ NE¼	100	18.80	MADRAS, CITY OF & JEFFERSON COUNTY	98-09
10S	13E	33	NW¼ NE¼	100	24.60	MADRAS, CITY OF & JEFFERSON COUNTY	98-09
10S	13E	33	SW¼ NE¼	600	23.50	KIRKWOOD, JOE DBA HIPPIE JOE ENTERPRISES	98-08
10S	13E	33	SE¼ NE¼	600	24.50	KIRKWOOD, JOE DBA HIPPIE JOE ENTERPRISES	98-08
10S	13E	33	NE¼ SE¼	600	12.30	KIRKWOOD, JOE DBA HIPPIE JOE ENTERPRISES	98-08
10S	13E	33	NW¼ SE¼	600	11.50	KIRKWOOD, JOE DBA HIPPIE JOE ENTERPRISES	98-08
11S	13E	14	NW¼ NW¼	400	15.00	MILLER, FETURAH G.	98-19
11S	13E	14	SW¼ SE¼	1301	0.40	RDS DEVELOPMENT, LLC	98-01
12S	12E	13	NE¼ NE¼	100	0.20	MACY, JOHN A. & KAREN	98-07
12S	12E	13	NE¼ NE¼	100	0.30	MACY, JOHN A. & KAREN	98-06
12S	12E	13	NW¼ NE¼	100	0.40	MACY, JOHN A. & KAREN	98-06
12S	12E	13	SW¼ NE¼	100	0.50	MACY, JOHN A. & KAREN	98-06
12S	13E	9	SE¼ NE¼	801	0.40	OREGON, STATE OF (O.D.O.T.)	97-04
12S	13E	16	NW¼ NE¼	300	0.60	OREGON, STATE OF (O.D.O.T.)	97-06
12S	13E	16	SW¼ NE¼	200	0.30	OREGON, STATE OF (O.D.O.T.)	97-07
12S	13E	16	SE¼ SW¼	700	0.20	OREGON, STATE OF (O.D.O.T.)	97-09
12S	13E	16	NW¼ SE¼	600	0.60	OREGON, STATE OF (O.D.O.T.)	97-05
12S	13E	29	NE¼ SE¼	800	0.20	OREGON, STATE OF (O.D.O.T.)	97-10
13S	13E	20	SW¼ NE¼	200	0.40	OREGON, STATE OF (O.D.O.T.)	97-12
13S	13E	20	NE¼ NW¼	400	0.20	OREGON, STATE OF (O.D.O.T.)	97-14
13S	13E	20	SE¼ NW¼	400	0.50	OREGON, STATE OF (O.D.O.T.)	97-14
13S	13E	20	NE¼ SW¼	700	0.50	OREGON, STATE OF (O.D.O.T.)	97-14

TWP	RNG	SEC	QTR/QTR	TL	AC.	APPLICANT	DIST #
13S	13E	20	SE¼ SW¼	700	0.30	OREGON, STATE OF (O.D.O.T.)	97-14
13S	13E	20	SW¼ SE¼	601	0.30	OREGON, STATE OF (O.D.O.T.)	97-13
13S	13E	32	SW¼ NE¼	104	0.40	OREGON, STATE OF (O.D.O.T.)	97-15

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 places of use to:

TWP	RNG	SEC	QTR/QTR	TL	AC.	RECIPIENT	DIST #
10S	13E	24	NE¼ SW¼	205	22.10	WEIGAND RANCHES, INC.	98-08
10S	13E	24	SE¼ SW¼	205	30.90	WEIGAND RANCHES, INC.	98-08
10S	13E	24	NW¼ SE¼	205	12.30	WEIGAND RANCHES, INC.	98-09
10S	13E	24	NW¼ SE¼	205	18.80	WEIGAND RANCHES, INC.	98-08
10S	13E	24	SW¼ SE¼	205	31.10	WEIGAND RANCHES, INC.	98-09
10S	14E	20	SE¼ SE¼	600	15.00	MILLER, FETURAH G.	98-19
11S	13E	15	SW¼ SE¼	602	0.30	McCONKEY, WILLARD F. & ROBERTA	98-01
11S	13E	15	SE¼ SE¼	400	0.10	McCONKEY, WILLARD F. & ROBERTA	98-01
12S	12E	13	NE¼ NE¼	101	0.20	M RANCHES, INC.	98-07
12S	12E	13	NW¼ NE¼	101	1.20	MACY, JOHN A. & KAREN	98-06
12S	13E	6	NE¼ NE¼	100	0.20	HAGMAN, WESLEY L. & MARK G. & EVAN S.	97-09
12S	13E	9	SW¼ NE¼	801	0.40	STOFER, BRUCE & FOSTER, GAIL	97-04
12S	13E	10	SW¼ SW¼	800	0.60	CORWIN, GORDON THAYNE & NORMA KAYE	97-06
12S	13E	16	SW¼ NE¼	200	0.30	MIDDLESTETTER, DOUGLAS L. & PAMELA K.	97-07
12S	13E	16	SW¼ NE¼	600	0.60	KRUEGER, TIMOTHY & LEANNA	97-05

TWP	RNG	SEC	QTR/QTR	TL	AC.	RECIPIENT	DIST #
12S	13E	29	NE¼ SE¼	800	0.20	FREEMAN, J.W. & G.G., TRUSTEES - FREEMAN FAMILY TRUST	97-10
13S	13E	20	NW¼ NE¼	200	0.40	BECKER, RICHARD D. & MARGERY B.	97-12
13S	13E	20	SE¼ NW¼	400	0.30	DIMEO, KENNETH G.	97-14
13S	13E	20	NE¼ SW¼	700	0.50	DIMEO, KENNETH G.	97-14
13S	13E	20	SE¼ SW¼	700	0.70	DIMEO, KENNETH G.	97-14
13S	13E	20	SW¼ SE¼	601	0.30	POWELL, JANELL J.	97-13
13S	13E	32	SW¼ NE¼	104	0.40	WILLIS, SAM HOUSTON & ROBIN MARIE	97-15

The third right to be modified, as evidenced by a portion of Certificate 72283, was perfected under Permit 33954 with a date of priority of SEPTEMBER 18, 1968. The right allows the use of THE CROOKED RIVER, a tributary of THE DESCHUTES RIVER, for IRRIGATION OF 68.10 ACRES.

The authorized places of use are located as follows:

TWP	RNG	SEC	QTR/QTR	TL	AC.	APPLICANT	DIST #
10S	13E	33	NE¼ NE¼	100	7.40	MADRAS, CITY OF & JEFFERSON COUNTY	98-09
10S	13E	33	NW¼ NE¼	100	9.20	MADRAS, CITY OF & JEFFERSON COUNTY	98-09
10S	13E	33	NE¼ SE¼	600	8.30	KIRKWOOD, JOE DBA HIPPIE JOE ENTERPRISES	98-08
10S	13E	33	NW¼ SE¼	600	8.30	KIRKWOOD, JOE DBA HIPPIE JOE ENTERPRISES	98-08
10S	14E	20	SE¼ SE¼	600	15.00	MILLER, FETURAH G.	98-19
11S	13E	11	SE¼ NW¼	105	0.60	BIERMAN, CONNIE; DOBSON, DIANA L. & GASSNER, CHERYL A.	98-03
11S	13E	11	SE¼ NW¼	105	1.20	BIERMAN, CONNIE; DOBSON, DIANA L. & GASSNER, CHERYL A.	98-04

TWP	RNG	SEC	QTR/QTR	TL	AC.	APPLICANT	DIST #
11S	13E	11	SE¼ NW¼	105	2.10	BIERMAN, CONNIE; DOBSON, DIANA L. & GASSNER, CHERYL A.	98-02
11S	13E	11	NW¼ SW¼	500	3.60	WILLIWAW, INC.	98-05
11S	13E	14	NW¼ NW¼	400	2.70	MILLER, FETURAH G.	98-19
11S	14E	19	SW¼ NW¼	1090	3.10	CROOKED RIVER NATIONAL GRASSLAND	97-02
12S	13E	9	SW¼ NE¼	801	0.40	STOFER, BRUCE C. & FOSTER, GAIL	97-04(2)
12S	13E	16	SW¼ NE¼	200	0.60	MIDDLESTETTER, DOUGLAS L. & PAMELA K.	97-07(2)
12S	13E	16	SW¼ NE¼	500	0.60	OREGON, STATE OF (O.D.O.T.)	97-08
12S	13E	16	NE¼ SW¼	500	0.30	OREGON, STATE OF (O.D.O.T.)	97-08
12S	13E	16	SE¼ SW¼	700	0.70	OREGON, STATE OF (O.D.O.T.)	97-09
12S	13E	16	NW¼ SE¼	500	0.40	OREGON, STATE OF (O.D.O.T.)	97-08
13S	13E	17	SE¼ NW¼	600	0.70	OREGON, STATE OF (O.D.O.T.)	97-11
13S	13E	17	NE¼ SW¼	600	0.40	OREGON, STATE OF (O.D.O.T.)	97-11
13S	13E	17	SE¼ SW¼	1000	0.40	OREGON, STATE OF (O.D.O.T.)	97-11
13S	13E	20	NW¼ NE¼	200	2.10	BECKER, RICHARD D. & MARGERY B.	97-12(2)

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 places of use to:

TWP	RNG	SEC	QTR/QTR	TL	AC.	RECIPIENT	DIST #
09S	14E	27	NW¼ NE¼	300	3.10	BROWN, ENOS R. & JANICE R.	97-02
10S	13E	24	NE¼ SW¼	205	7.60	WEIGAND RANCHES, INC.	98-09
10S	13E	24	NE¼ SW¼	205	9.30	WEIGAND RANCHES, INC.	98-08
10S	13E	24	SE¼ SW¼	205	7.30	WEIGAND RANCHES, INC.	98-08

TWP	RNG	SEC	QTR/QTR	TL	AC.	RECIPIENT	DIST #
10S	13E	24	NW¼ SE¼	205	0.50	WEIGAND RANCHES, INC.	98-09
10S	14E	20	SW¼ SE¼	205	8.50	WEIGAND RANCHES, INC.	98-09
10S	14E	20	NE¼ SE¼	600	4.70	MILLER, FETURAH G.	98-19
10S	14E	20	SE¼ SE¼	600	13.00	MILLER, FETURAH G.	98-19
12S	12E	13	NE¼ NE¼	100	2.10	MACY, JOHN A. & KAREN	98-02
12S	12E	13	NE¼ NE¼	101	0.60	M RANCHES, INC.	98-03
12S	12E	13	SW¼ SW¼	601	1.20	MACY, DIGHT & SHARON	98-04
12S	12E	13	SW¼ SW¼	601	3.60	MACY, DIGHT & SHARON	98-05
12S	13E	5	NW¼ NW¼	300	0.40	GRAVES, COREY R.	97-04(2)
12S	13E	6	NE¼ NE¼	100	0.70	HAGMAN, WESLEY L. & MARK G. & EVAN S.	97-09
12S	13E	14	NW¼ NE¼	100	0.60	BISSELL, LEE & JANET	97-07(2)
12S	13E	14	NW¼ NE¼	100	1.30	BISSELL, LEE & JANET	97-08
13S	13E	7	SE¼ SW¼	500	1.50	CUNNINGHAM, VERN & MARIE, TRUSTEES & CUNNINGHAM, ROGER & PATRICIA	97-11
13S	13E	20	NW¼ NE¼	200	2.10	BECKER, RICHARD D. & MARGERY B.	97-12(2)

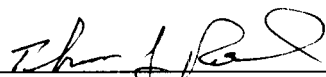
THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2001.
2. The former places of use shall no longer be irrigated as a part of these water rights.
3. Proof to the satisfaction of the Director, that the changes approved by this order have been completed must be submitted by NORTH UNIT IRRIGATION DISTRICT on or before October 1, 2002.

Except as modified herein, all other conditions and restrictions of Certificates 72279, 72281, and 72283 remain in effect.

When the Director determines that it is necessary, or to facilitate records keeping, new certificates will be issued to confirm all completed changes for which satisfactory proof has been made and to confirm those portions of the rights not modified by this or any other order.

WITNESS the signature of the Water Resources Director, affixed SEP 14 2000



for Paul R. Cleary, Director