

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 7624 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 40573, was perfected under Permit 33945 with a date of priority of OCTOBER 25, 1068. The right allows the use of the SNAKE RIVER, a tributary of the COLUMBIA RIVER, for SUPPLEMENTAL IRRIGATION OF 4171.1 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 70.78 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; 300 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 SE¼	33.5 ACRES	SW¼ SW¼	35.8 ACRES
SE¼ SE¼	32.2 ACRES	SE¼ SW¼	40.0 ACRES
SECTION 20		SW¼ SE¼	40.0 ACRES
		SE¼ SE¼	40.0 ACRES
SW¼ SW¼	18.4 ACRES	SECTION 22	
SE¼ SW¼	36.4 ACRES	SW¼ SW¼	39.8 ACRES
SW¼ SE¼	40.0 ACRES	SE¼ SW¼	29.8 ACRES
SE¼ SE¼	39.7 ACRES	SW¼ SE¼	0.8 ACRE
SECTION 21		SECTION 23	

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  
 NW¼ SW¼ 39.0 ACRES  
 SW¼ SW¼ 15.4 ACRES  
 SE¼ SW¼ 18.2 ACRES

SECTION 26

NE¼ NE¼ 39.2 ACRES  
 NW¼ NE¼ 39.2 ACRES  
 SW¼ NE¼ 38.6 ACRES  
 SE¼ NE¼ 38.4 ACRES  
 NE¼ NW¼ 39.2 ACRES  
 NW¼ NW¼ 37.6 ACRES  
 SW¼ NW¼ 37.8 ACRES  
 SE¼ NW¼ 38.6 ACRES  
 NE¼ SW¼ 32.4 ACRES  
 NW¼ SW¼ 28.8 ACRES  
 SW¼ SW¼ 39.4 ACRES  
 SE¼ SW¼ 39.6 ACRES  
 NE¼ SE¼ 30.4 ACRES  
 NW¼ SE¼ 31.2 ACRES  
 SW¼ SE¼ 39.4 ACRES  
 SE¼ SE¼ 35.6 ACRES

SECTION 27

NE¼ NE¼ 25.6 ACRES  
 NW¼ NE¼ 29.8 ACRES  
 SW¼ NE¼ 29.4 ACRES  
 SE¼ NE¼ 36.4 ACRES  
 NE¼ NW¼ 18.4 ACRES  
 NW¼ NW¼ 32.2 ACRES  
 SW¼ NW¼ 39.8 ACRES  
 SE¼ NW¼ 34.6 ACRES  
 NE¼ SW¼ 37.2 ACRES  
 NW¼ SW¼ 35.6 ACRES  
 SW¼ SW¼ 39.2 ACRES  
 SE¼ SW¼ 40.0 ACRES  
 NE¼ SE¼ 30.8 ACRES  
 NW¼ SE¼ 35.0 ACRES  
 SW¼ SE¼ 40.0 ACRES  
 SE¼ SE¼ 39.2 ACRES

SECTION 28

NE¼ NE¼ 39.7 ACRES  
 NW¼ NE¼ 39.4 ACRES  
 SW¼ NE¼ 39.2 ACRES  
 SE¼ NE¼ 40.0 ACRES  
 SE¼ SW¼ 38.8 ACRES  
 NE¼ SE¼ 32.6 ACRES  
 NW¼ SE¼ 38.2 ACRES  
 SW¼ SE¼ 38.8 ACRES  
 SE¼ SE¼ 36.4 ACRES

SECTION 29

NE¼ NE¼ 12.0 ACRES  
 NW¼ NE¼ 39.4 ACRES  
 SW¼ NE¼ 39.6 ACRES  
 SE¼ NE¼ 39.3 ACRES  
 NE¼ NW¼ 39.6 ACRES  
 SE¼ NW¼ 40.0 ACRES  
 NE¼ SW¼ 40.6 ACRES  
 NE¼ SE¼ 40.0 ACRES  
 NW¼ SE¼ 40.0 ACRES  
 SE¼ SE¼ 39.4 ACRES

SECTION 32

NE¼ NE¼ 38.4 ACRES  
 NW¼ NE¼ 31.0 ACRES  
 SW¼ NE¼ 33.0 ACRES  
 SE¼ NE¼ 24.6 ACRES  
 NE¼ NW¼ 24.4 ACRES  
 NW¼ NW¼ 12.8 ACRES  
 SW¼ NW¼ 39.4 ACRES  
 SE¼ NW¼ 39.6 ACRES  
 NE¼ SW¼ 39.4 ACRES  
 NW¼ SW¼ 39.2 ACRES  
 SW¼ SW¼ 39.2 ACRES  
 SE¼ SW¼ 39.4 ACRES  
 NE¼ SE¼ 39.6 ACRES  
 NW¼ SE¼ 39.3 ACRES  
 SW¼ SE¼ 39.6 ACRES  
 SE¼ SE¼ 39.6 ACRES

SECTION 33

NE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0 ACRES	NW $\frac{1}{4}$ NW $\frac{1}{4}$	23.4 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	40.0 ACRES	SW $\frac{1}{4}$ NW $\frac{1}{4}$	23.0 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.0 ACRES	NW $\frac{1}{4}$ SW $\frac{1}{4}$	14.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0 ACRES	SW $\frac{1}{4}$ SW $\frac{1}{4}$	2.2 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	40.0 ACRES		
NW $\frac{1}{4}$ NW $\frac{1}{4}$	39.0 ACRES		
SW $\frac{1}{4}$ NW $\frac{1}{4}$	21.2 ACRES		
SE $\frac{1}{4}$ SW $\frac{1}{4}$	34.0 ACRES		
NE $\frac{1}{4}$ SE $\frac{1}{4}$	18.7 ACRES		
NW $\frac{1}{4}$ SE $\frac{1}{4}$	26.8 ACRES		
SW $\frac{1}{4}$ SE $\frac{1}{4}$	35.6 ACRES		
SE $\frac{1}{4}$ SE $\frac{1}{4}$	24.0 ACRES		

SECTION 35

SECTION 34

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

LOT 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$ )	2.0 ACRES	LOT 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$ )	40.8 ACRES
SECTION 2		LOT 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$ )	40.3 ACRES
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	39.5 ACRES
LOT 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$ )	29.4 ACRES	SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0 ACRES
LOT 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$ )	40.5 ACRES	LOT 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$ )	40.3 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	12.0 ACRES	LOT 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$ )	27.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	0.3 ACRE	SW $\frac{1}{4}$ NW $\frac{1}{4}$	2.0 ACRES
LOT 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$ )	40.8 ACRES	SE $\frac{1}{4}$ NW $\frac{1}{4}$	28.2 ACRES
LOT 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$ )	40.8 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$	35.2 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0 ACRES	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1.2 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	25.0 ACRES	NE $\frac{1}{4}$ SE $\frac{1}{4}$	20.6 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	8.8 ACRES	NW $\frac{1}{4}$ SE $\frac{1}{4}$	31.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	13.6 ACRES	SW $\frac{1}{4}$ SE $\frac{1}{4}$	0.2 ACRE

SECTION 3

SECTION 4

TOWNSHIP 18 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 supplemental irrigation to SUPPLEMENTAL FLOW AUGMENTATION FOR FISH ENHANCEMENT in the channel of the Snake River from the authorized point of diversion in Lot 1 (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ), Section 21, T 17 S, R 47 E, WM to the Oregon-Washington Border in Lot 1 (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ), Section 15, T 6 N, R 47 E, WM.

The receiving water right holder is:

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

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, 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 70.78 cfs, and a volume of 16,684.4 acre-feet during the period March 1 to October 31 of each year, provided the total diverted under all rights perfected under Permits 30621, 33945, and 33946 for flow augmentation does not exceed 104.28 cfs, and a volume of 16,684.4 during the year
4. The Water User shall work with the Department to develop and implement a strategy for monitoring the flows used for flow augmentation.

Certificate 40573 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.

  
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Martha O. Pagel, Director