

STATE OF OREGON

COUNTY OF JEFFERSON

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 9136 submitted by

CORRY WRIGHT
1835 S. HIGHWAY 97
REDMOND, OREGON 97756.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for JEFFERSON County as evidenced by a PORTION of Certificate 2236. The decree is recorded in the Order Record of the Water Resources Director in Volume 5, at Page 57. The date of priority is 1885.

The right allows the use of TROUT CREEK, a tributary of the DESCHUTES RIVER, for IRRIGATION OF 10.4 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.50 ACRE FEET PER ACRE DURING ANY PERIOD OF 30 DAYS OR 6.0 ACRE FEET DURING ANY IRRIGATION SEASON, if available at the authorized point of diversion: HILL DITCH - NE¼ NE¼, SECTION 33, T 10 S, R 17 E, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

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:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.5 ACRE
SECTION 20

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.3 ACRES
SECTION 21

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 4.5 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.3 ACRE
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.8 ACRES
SECTION 28

TOWNSHIP 10 SOUTH, RANGE 17 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 only or place of use and point of diversion as follows:

	<u>POU AND POD</u>	<u>POU ONLY</u>
NW $\frac{1}{4}$ SE $\frac{1}{4}$	8.1 ACRES SECTION 20	
SW $\frac{1}{4}$ NW $\frac{1}{4}$		1.0 ACRE
NE $\frac{1}{4}$ SW $\frac{1}{4}$		1.3 ACRES
	SECTION 28	
	TOWNSHIP 10 SOUTH, RANGE 17 EAST, W.M.	

The applicant proposes to change the point of diversion to:

WRIGHT DITCH - NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 20, T 10 S, R 17 E, W.M.; 540 FEET SOUTH AND 1200 FEET WEST FROM THE E $\frac{1}{4}$ CORNER, SECTION 20.

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

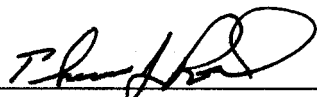
1. The proposed changes shall be completed on or before October 1, 2003.

2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of 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.
5. The former place of uses shall no longer be irrigated as a part of this water right.
6. The water user shall install and maintain a fish screen or fish by-pass device at the new point of diversion. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

Certificate 2236 is canceled. 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 AUGUST 7, 2002.



For Paul R. Cleary, Director