

STATE OF OREGON

COUNTY OF WASCO

ORDER APPROVING A CHANGE IN USE, 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 8584 submitted by

WASCO COUNTY
PUBLIC WORKS DEPARTMENT
511 WASHINGTON STREET
THE DALLES, OREGON 97058.

The right to be modified, as evidenced by Certificate 27244, was perfected under Permit 20946 with a date of priority of January 25, 1952. The right allows the use of water from the COLUMBIA RIVER, a tributary of the Pacific Ocean, for MANUFACTURING. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.0 cubic foot per second, if available at the authorized point of diversion: Lot 2 (NW¼ SW¼), SECTION 16, T 2 N, R 13 E, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

This is an 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 use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

Lot 2 (NW¼ SW¼)
SECTION 16
TOWNSHIP 2 NORTH, RANGE 13 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 applicant proposes to change the character of use from MANUFACTURING to INDUSTRIAL, INCLUDING BUT NOT LIMITED TO ROAD CONSTRUCTION AND MAINTENANCE, AGGREGATE PRODUCTION AND EQUIPMENT WASHING.

The applicant further proposes to change the place of use to the public road system within the boundaries of Wasco County.

The applicant further proposes to change the point of diversion to four points of diversion along the Columbia River, being:

POD 1 - GOVERNMENT LOT 2 (NW¼ SE¼), SECTION 22, T 2 N, R 15 E, W.M.; 1650 FEET NORTH & 2650 FEET EAST FROM THE SW CORNER, SECTION 22; POD 2 - DLC #38 (SE¼ NE¼), SECTION 3, T 1 N, R 13 E, W.M.; 1190 FEET NORTH & 300 FEET WEST FROM THE E¼ CORNER, SECTION 3; POD 3 - SE¼ SE¼, SECTION 33, T 2 N, R 13 E, W.M.; NORTH 12° 32' 30" WEST 670.32 FEET FROM THE NE CORNER, SECTION 4; POD 4 - SE¼ SW¼, SECTION 2, T 2 N, R 12 E, W.M.; 700 FEET NORTH & 1610 FEET EAST FROM THE SW CORNER, SECTION 2.

THESE CHANGE 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, 2002.

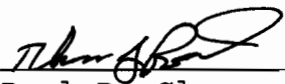
2. The quantity of water diverted at the new points of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. The Department requires the water user to **measure and record** the quantity of water diverted at each of the four points of diversion. Upon the Department's request, the water user shall report to the Watermaster the quantity of water used at the point(s) of diversion.
4. Water shall be acquired from the same surface water source as the original point of diversion.
5. The water user shall install and maintain a fish screen at each of the four diversion sites. The type and plans of the screens 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 in accordance with ORS 540.525.

Certificate 27244 is canceled. 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 **JUL 23 2001** .



for Paul R. Cleary, Director