## BEFORE THE WATER RESOURCES DEPARTMENT FOR THE STATE OF OREGON

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Order of Proper Proof of Changes in Place of Use and Point of Diversion Under Transfer 8743

Final Order

This order confirms the right of record to use the waters of WYCHUS CREEK, tributary to DESCHUTES RIVER, for IRRIGATION of a total of 106.0 ACRES, being 52.0 acres with priority date of 1885 and 54.0 acres with priority date 1900.

This right was confirmed by decree of the Circuit Court of the State of Oregon for CROOK County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 1, at Page 120. The dates of priority are 1885 and 1900.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.51 CUBIC FEET PER SECOND (CFS), BEING 0.76 CFS FOR 1885 PRIORITY DATE AND 0.75 CFS FOR 1900 PRIORITY DATE, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
15 S	10 E	WM	2	NW NW	4	1127 FEET SOUTH & 1388 FEET WEST FROM N <sup>1</sup> / <sub>4</sub>
						CORNER, SECTION 2

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of 1/68.4 of one cubic foot per second, or its equivalent for each acre irrigated for the lands with 1885 priority date, and 1/72 of one cubic foot per second, or its equivalent for each acre irrigated for the lands with 1900 priority date during the irrigation season of each year.

		Mer	Sec	Q-Q	GLot	Acres	
Twp	Rng					1885 PRIORITY	1900 PRIORITY
15 S	10 E	WM	2	NE NE	1	24.8	10.7
15 S	10 E	WM	2	NW NE	2		30.5
15 S	10 E	WM	2	SW NE			2.8
15 S	10 E	WM	2	SE NE		27.2	3.2
15 S	10 E	WM	2	NE NW	3		0.3
15 S	10 E	WM	2	NW NW	4		5.3
15 S	10 E	WM	2	NE SE			1.2

A description of the place of use is as follows:

## NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

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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 available from the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FEET EAST FROM SW CORNER OF SECTION 21

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

The water user shall maintain a fish screen or fish by-pass device.

The right to the use of the water for the above purpose is restricted to beneficial use on place of use described, and is subject to all other conditions and limitations contained in said decree.

This order is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered DECEMBER 19, 2001, at Special Order Volume 55, Page 1338, approving Transfer Application 8743, and as modified by Special Order Volume 67, Page 226, supercedes a portion of Certificate 74135, State Record of Water Right Certificates.

The Department will issue a superseding certificate describing the right when it determines that it is necessary for record keeping.

Issued

FEB 1 3 2014

Dwight W.French

Administrator, Water Right Services, for Phillip C. Ward, Director Oregon Water Resources Department