

STATE OF OREGON

COUNTY OF WASCO

ORDER APPROVING A CHANGE IN 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 9541 submitted by

DAVE AND JUDY MOORE
79009 WOLF RUN ROAD
DUFUR, OREGON 97021.

The right to be modified, as evidenced by a portion of Certificate 51298, was perfected under Permit 37758 with a date of priority of DECEMBER 10, 1973. The right allows the use of FIFTEENMILE CREEK, a tributary of COLUMBIA RIVER, for IRRIGATION OF 2.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.03 cubic foot per second, if available at the authorized point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 8, T 2 S, R 11 E, W.M.; 1600 FEET NORTH AND 1920 FEET EAST FROM SW CORNER, SECTION 8, 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-EIGHTIETH 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 3.0 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.

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 183.484. 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 place of use is located as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.8 ACRE
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.2 ACRES
SECTION 4
TOWNSHIP 2 SOUTH, RANGE 12 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 place of use to:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES
SECTION 5
TOWNSHIP 2 SOUTH, RANGE 12 EAST, W.M.

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, 2005.
2. The former place of use shall no longer be irrigated as a part of this water right.

Certificate 51298 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 July 28, 2004.


Phillip C. Ward, Acting Director