

STATE OF OREGON

COUNTY OF CROOK

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 8566 submitted by

OCHOCO IRRIGATION DISTRICT
1001 NORTH DEER STREET
PRINEVILLE, OREGON 97754.

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for CROOK County as evidenced by a PORTION of Certificate 553. The decree is recorded in the Order Record of the Water Resources Director in Volume 1, at Page 449. The date of priority is 1871.

The right allows the use of OCHOCO CREEK, a tributary of THE CROOKED RIVER, for IRRIGATION OF 0.8 ACRE, STOCK AND DOMESTIC USE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed a reasonable amount for domestic and stock use and 0.01 cubic foot per second for irrigation, if available at the authorized point of diversion: SNODERLY AND COMBS DITCH, 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 a diversion of not to exceed 4.0 acre-feet for each acre irrigated during the irrigation season of each year.

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 second right to be modified, as evidenced by a portion of Certificate 68394, was perfected under Permit 5426 with a date of priority of MARCH 13, 1916, FROM M^cKAY CREEK AND AUGUST 10, 1917, FROM ALL OTHER SOURCES HEREIN NAMED. The right allows the use of OCHOCO, M^cKAY, DRY AND JOHNSON CREEKS, AND ALL WASTE AND RETURN WATER FLOWING IN ALL UNNAMED WATERWAYS, AND OCHOCO RESERVOIR, CONSTRUCTED UNDER RESERVOIR PERMIT R-528, tributaries of THE CROOKED RIVER, for SUPPLEMENTAL IRRIGATION OF 0.8 ACRE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.01 cubic foot per second, if available at the authorized point of diversion: SW¹/₄ NW¹/₄, SECTION 5, T 15 S, R 17 E, W.M.; 500 FEET NORTH AND 250 FEET EAST FROM THE W 1/4 CORNER, SECTION 5, 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 4.0 acre-feet for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Reservoir Permit R-528.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

SE¹/₄ NE¹/₄ 0.8 ACRE
SECTION 6
TOWNSHIP 15 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 to:

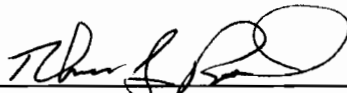
SW¹/₄ NE¹/₄ 0.8 ACRE
SECTION 6
TOWNSHIP 17 SOUTH, RANGE 15 EAST, W.M.

THESE CHANGES TO EXISTING WATER RIGHTS 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 former place of use shall no longer be irrigated as a part of this water right.

Certificates 553 and 68394 are canceled. New certificates will be issued to confirm those portions of the rights NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed DEC 06 2000.



For Paul R. Cleary, Director