

**STATE OF OREGON**  
**COUNTY OF DESCHUTES**  
**ORDER APPROVING CHANGES IN PLACE OF USE**

Pursuant to ORS 540.510 to 540.530 and ORS 537.705, 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 7932 submitted by

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SISTERS, OREGON 97759

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for DESCHUTES County as evidenced by a PORTION of Certificate 74135. The decree is recorded in the Order Record of the Water Resources Director in Volume 1, at Page 471. The date of priority is 1895.

The right allows the use of SQUAW CREEK, a tributary of THE DESCHUTES RIVER, for IRRIGATION OF 3.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.07 cubic foot per second, if available at the authorized point of diversion: SW¼ SW¼, SECTION 21, T 15 S, R 10 E, W.M.; 998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER, SECTION 21, 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 any other right for the same lands, is limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent 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: Under the provisions of OAR 137-004-0080, the applicant may petition for reconsideration of this order. The petition shall set forth specific grounds for reconsideration. the petition for reconsideration must be filed within 60 days after the date this order is served.

The second right to be modified, is evidenced by a PORTION of Permit 29312 with a date of priority of FEBRUARY 5, 1964 . The right allows the use of SQUAW CREEK RESERVOIR, CONSTRUCTED UNDER PERMIT R-3902, a tributary of SQUAW CREEK, for SUPPLEMENTAL IRRIGATION OF 3.6 ACRES . The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 16.2 ACRE-FEET STORED WATER ONLY, provided the total quantity of water diverted for all rights perfected under Permit 29312 does not exceed 500 acre-feet, if available at the authorized point of diversion: NE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 14, T 15 S, R 10 E, W.M.; 1365 FEET DUE NORTH FROM THE SE CORNER, SECTION 14 , 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 4.5 ACRE-FEET per acre or its equivalent for each acre irrigated during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

The third right to be modified, is evidenced by a PORTION of Permit G- 11378, with a date of priority of OCTOBER 8, 1984. The right allows the use of TWO WELLS, in the SQUAW CREEK BASIN, for SUPPLEMENTAL IRRIGATION OF 3.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.045 cubic foot per second, provided that the total quantity of water appropriated for all rights perfected under Permit G-11378 does not exceed 13.4 cfs, if available at the wells; NE $\frac{1}{4}$  SE $\frac{1}{4}$  AND NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 14, T 15 S, R 10 E, W.M.; WELL 1 - 10 FEET SOUTH AND 620 FEET WEST, WELL 2 - 40 FEET SOUTH AND 1400 FEET WEST, BOTH FROM THE E $\frac{1}{4}$  CORNER, SECTION 14, or its equivalent in case of rotation, measured at the wells.

The amount of water used for irrigation, together with the amount secured under any other right existing on 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 per acre for each acre irrigated during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

The authorized place of use is located as follows:

NW¼ SE¼	0.7 ACRE
SW¼ SE¼	2.9 ACRES

SECTION 4  
TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M.

This use may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of this right or as those quantities may be reduced.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The district shall obtain a static water-level measurement for each well during March of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water-rights examiner, registered profession geologist, or professional engineer. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the district shall discontinue use of, or reduce the rate or volume of withdrawal from the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the districts's or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resources or senior water rights. The reference level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this permit. The district shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. The water user shall install and maintain a weir, meter, or other suitable measuring device, and shall keep and submit to the department on an annual basis, a complete record of the amount of ground water withdrawn.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this water right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the water right.

This water right is for beneficial use of water without waste. The water user is advised that new regulation may require use of best practical technologies or conservation practices to achieve this end.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

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 to:

NE¼ SE¼                      3.6 ACRES  
SECTION 4  
TOWNSHIP 15 SOUTH, RANGE 11 EAST, W.M.

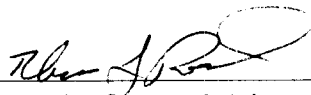
THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2000.
2. The former places of use shall no longer be irrigated as a part of these water rights.

Certificate 74135 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.

JUN 17 1999

WITNESS the signature of the Water Resources Director, affixed \_\_\_\_\_ .

  
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For Martha O. Pagel, Director