

**STATE OF OREGON**

**COUNTY OF JEFFERSON**

**ORDER APPROVING A CHANGE IN 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 7701 submitted by

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The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for JEFFERSON County as evidenced by Certificate 2250. The decree is recorded in the Order Record of the Water Resources Director in Volume 4, at Page 57. The date of priority is 1904.

The right allows the use of TROUT CREEK, a tributary of THE DESCHUTES RIVER, for IRRIGATING 3.5 ACRES, STOCK AND DOMESTIC USE.

The amount of water used for irrigation under this right is limited to a diversion of NOT TO EXCEED 1.50 ACRE FEET PER ACRE DURING ANY PERIOD OF 30 DAYS AND 6.0 ACRE-FEET PER ACRE DURING ANY IRRIGATION SEASON, if available at the authorized diversion: GRATER-McCOLLUM DITCH - NE $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 12, T 10 S, R 16 E, W.M.; 638 FEET SOUTH AND 242 FEET WEST FROM THE NE CORNER OF SECTION 12.

The authorized place of use is located as follows:

NW $\frac{1}{4}$  SE $\frac{1}{4}$                       3.5 ACRES  
SECTION 1  
TOWNSHIP 10 SOUTH, RANGE 16 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 point of diversion to: NE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 1, T 10 S, R 16 E, W.M.; N 33° 55' 03" W, 2407.37 FEET FROM THE SE CORNER OF SECTION 1.

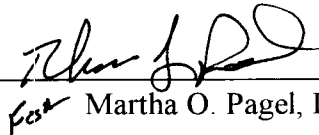
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 2000.
2. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the original point of diversion.
3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the general 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 and by-pass devices in accordance with ORS 540.525.

Certificate 2250 is cancelled. 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 NOV 10 1998

  
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For Martha O. Pagel, Director