

STATE OF OREGON  
COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.530 and ORS 540.531, 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 7417 submitted by

JEFF REHDER  
43464 HEAVENS LANE  
PENDLETON, OREGON 97801.

The right to be modified, as evidenced by a portion of Certificate 5100, was perfected under Permit 5996 with a date of priority of AUGUST 16, 1923. The right allows the use of MCKAY CREEK, a tributary of the UMATILLA 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 0.025 cubic foot per second, if available at the authorized point of diversion: SE $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 28, T 2 N, R 32 E, WM; 290 FEET NORTH AND 8 FEET WEST FROM THE E $\frac{1}{4}$  CORNER, SECTION 28 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 during the irrigation season of each year.

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

The authorized place of use is located as follows:

SE $\frac{1}{4}$  NE $\frac{1}{4}$             2.0 ACRES  
SECTION 28  
TOWNSHIP 2 NORTH, RANGE 32 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 point of diversion to two shallow hydraulically connected wells located as follows:

SE $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 28, T 2 N, R 32 E, WM; WELL 1 - 190 FEET NORTH AND 150 FEET WEST; WELL 2 - 140 FEET NORTH AND 150 FEET WEST; BOTH FROM THE E $\frac{1}{4}$  CORNER, SECTION 28

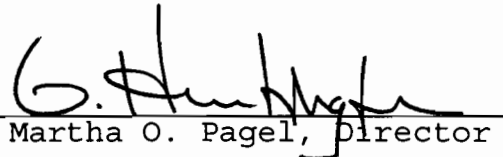
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1998.
2. The quantity of water diverted at the new points of diversion (two wells), together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. 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. Water shall be acquired from the same surface water source as the original point of diversion.

Certificate 5100 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.

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

SEP 04 1997

  
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Martha O. Pagel, Director