

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING AN ADDITIONAL POINT OF APPROPRIATION

Pursuant to 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 9232 submitted by

E. MARGARETT SKILLMAN
36971 CUNNINGHAM ROAD
ECHO, OREGON 97826.

The right to be modified, as evidenced by Certificate 45218, as perfected under Permit G-4561, with a date of priority of April 10, 1969, allows the use of A WELL, located within the UMATILLA RIVER BASIN, for IRRIGATION OF 68.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 29.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.22 cubic feet per second, measured at the well; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 10, T 2 N, R 30 E, W.M.; 1070 FEET NORTH AND 1050 FEET EAST FROM THE W $\frac{1}{4}$ CORNER, SECTION 10, or its equivalent in case of rotation.

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 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; provided further that the right allowed herein shall be limited to appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others.

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

The authorized place of use is as follows:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SE $\frac{1}{4}$ SW $\frac{1}{4}$	5.5 ACRES	
SW $\frac{1}{4}$ SE $\frac{1}{4}$	0.6 ACRE	
	SECTION 3	
NE $\frac{1}{4}$ NE $\frac{1}{4}$		7.4 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	0.4 ACRE	
SE $\frac{1}{4}$ NE $\frac{1}{4}$	25.5 ACRES	
	SECTION 9	
NW $\frac{1}{4}$ NE $\frac{1}{4}$		0.3 ACRE
NE $\frac{1}{4}$ NW $\frac{1}{4}$	14.3 ACRES	6.8 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	2.5 ACRES	15.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	18.6 ACRES	
SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.6 ACRE	
	SECTION 10	
TOWNSHIP 2 NORTH, RANGE 30 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.

The applicant proposes to ADD A POINT OF APPROPRIATION to:

SW¼ NW¼, SECTION 10, T 2 N, R 30 E, W.M.; 510 FEET NORTH AND 639 FEET EAST FROM THE W¼ CORNER, SECTION 10.

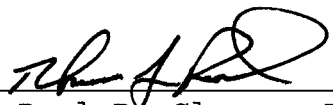
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 2004.
2. The quantity of water diverted at the new point of appropriation (well) shall not exceed the quantity of water lawfully available from the original well.
3. **Prior** to diverting water from the new point of appropriation (well), the water user **shall** install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the 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 aquifer as the original point of appropriation.

Certificate 45218 is canceled. 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 JUL 17 2003.



Paul R. Cleary, Director
File