

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING ADDITIONAL POINTS OF APPROPRIATION

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 7687 submitted by

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MILTON-FREEWATER, OREGON 97862.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by a PORTION of Certificate 57377. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 321. The date of priority is 1900 FOR 41.1 ACRES, AND 1908 FOR 1.8 ACRES.

The right allows the use of DUGGER CREEK, a tributary of PINE CREEK, for IRRIGATION OF 42.9 ACRES, DOMESTIC AND STOCK USE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed a rate of flow of 0.54 second feet from May 1 to September 1 of each year, if available at the authorized points of diversion: GALLAHER DITCH (1908) - SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 25, T 6 N, R 34 E, W.M.; GALLAHER LATERAL (1900) - NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 30, T 6 N, R 35 E, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source. The total quantity diverted during each irrigation season not to exceed 128.7 acre-feet.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$	22.2 ACRES	(1900)
SW $\frac{1}{4}$ NE $\frac{1}{4}$	1.8 ACRES	(1908)
NE $\frac{1}{4}$ SE $\frac{1}{4}$	6.2 ACRES	(1900)
NW $\frac{1}{4}$ SE $\frac{1}{4}$	12.7 ACRES	(1900)
SECTION 25		
TOWNSHIP 6 NORTH, RANGE 34 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 add additional points of diversion to:

1900 - SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 25, T 6 N, R 34 E, W.M., 1850 FEET SOUTH AND 30 FEET WEST FROM THE NE CORNER OF SECTION 25.

1900 & 1908 - NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 30, T 6 N, R 34 E, W.M., 909 FEET SOUTH AND 526 FEET EAST FROM THE CENTER OF SECTION 30.

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, 1999.
2. The quantity of water diverted at the new points of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water lawfully available at the original points 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. Water shall be acquired from the same surface water source as the original points of diversion.

Certificate 57377 is cancelled. 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 10/3/97.



Martha O. Pagel, Director