

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION AND
CANCELLATION OF A PORTION OF TWO WATER RIGHTS

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 7112 submitted by

LEON REESE
1017 NW 12TH
PENDLETON, OREGON 97801.

The right to be modified, as evidenced by a portion of Certificate 24686, was perfected under Permit U-680 with a date of priority of SEPTEMBER 16, 1954. The right allows the use of A WELL, in the UMATILLA RIVER BASIN, for IRRIGATION OF 20.55 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.25 cubic foot per second, if available at the original well; NW¼ SW¼, SECTION 9, T 3 N, R 30 E, W.M.; NORTH 21° 38' EAST 2360.47 FEET FROM THE SW CORNER, SECTION 9, or its equivalent in case of rotation, measured at the well.

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 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.

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

The authorized place of use is as follows:

NW¼ SW¼ 19.68 ACRES

NE¼ SW¼ 0.87 ACRE

SECTION 9

TOWNSHIP 3 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 change the point of appropriation to:

NW¼ SW¼, SECTION 9, T 3 N, R 30 E, W.M.; 520 FEET SOUTH AND 940 FEET EAST FROM THE W¼ CORNER, SECTION 9.

An affidavit was received from Donald Gene Reese, the owner of certain land and the water right appurtenant to it. The water right has been abandoned and is requested to be canceled.

The abandoned water right is a portion of the right described by Certificate 24686, State Record of Water Right Certificates. The abandoned water right is for the use of water from a well, in the Umatilla River Basin. The date of priority is September 16, 1954. The abandoned water right is for the irrigation of 0.02 acre. No quantity of water is being abandoned. The total quantity of water for the right is being used for irrigation of the remaining lands.

A description of the place of use of the abandoned water right is as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.02 ACRE
SECTION 8
TOWNSHIP 3 NORTH, RANGE 30 EAST, W.M.

An affidavit was received from Leon Reese, the owner of certain land and the water right appurtenant to it. The supplemental water right has been abandoned and is requested to be canceled.

The abandoned water right is a portion of the right described by Certificate 52823, State Record of Water Right Certificates. The abandoned water right is for the use of 0.25 cubic foot per second of water from a well, in the Stage Gulch Basin. The date of priority is November 30, 1973. The abandoned water right is for Supplemental Irrigation of 20.55 acres.

A description of the place of use of the abandoned water right is as follows:

SUPPLEMENTAL
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.87 ACRE
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 19.68 ACRES
SECTION 9
TOWNSHIP 3 NORTH, RANGE 30 EAST, W.M.

ORS 540.621 provides: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the Commission shall enter an order canceling the water right."

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

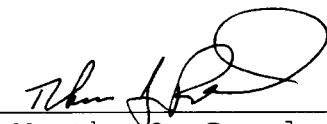
1. The proposed change shall be completed on or before October 1, 2000.

2. The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation.
3. 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.

The portions of the water rights requested to be canceled are canceled. Certificates 24686 and 52823 are canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer or cancellation. When satisfactory proof of the completed change is received, a new certificate confirming the water right will be issued.

WITNESS the signature of the Water Resources Director,

affixed SEP 09 1999.



For Martha O. Pagel, Director