

**STATE OF OREGON**

**COUNTY OF UMATILLA**

**ORDER APPROVING CHANGES IN PLACE OF USE**

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 8322 submitted by:

NORMA QUICK  
78614 QUICK ROAD  
HERMISTON, OREGON 97838.

The first right to be modified, as evidenced by a portion of Certificate 55323, was perfected under Permit 44614 with a date of priority of AUGUST 23, 1979. The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 15.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.39 cubic foot per second, if available at the authorized point of diversion: SW¼ SW¼, SECTION 16, T 4 N, R 28 E, W.M.; 660 FEET NORTH AND 10 FEET EAST FROM THE SW CORNER, SECTION 16, 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 any other right existing for the same lands, is limited to ONE-FORTIETH 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 4.5 acre-feet 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:

**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.

NE¼ SW¼ 11.8 ACRES

SE¼ SW¼ 4.0 ACRES

SECTION 16

TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.

The applicant proposes to change the places of use to:

SW¼ SW¼ 15.8 ACRES

SECTION 16

TOWNSHIP 4 NORTH, RANGE 28 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 the provisions of paragraph 33 of the decree and all other conditions and limitations contained in the decree.

The second 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 2554. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1910.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 10.9 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.14 cubic foot per second, if available at the authorized point of diversion: SW¼ SW¼, SECTION 16, T 4 N, R 28 E, W.M.; 660 FEET NORTH AND 10 FEET EAST FROM THE SW CORNER, SECTION 16, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

NW¼ SW¼ 5.4 ACRES

SW¼ SW¼ 5.5 ACRES

SECTION 16

TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.

The applicant proposes to change the places of use to:

NW¼ SW¼ 3.5 ACRES

SW¼ SW¼ 7.4 ACRES

SECTION 16

TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.

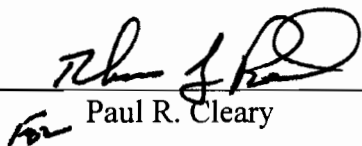
The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to the provisions of paragraph 33 of the decree and all other conditions and limitations contained in the decree.

IT IS ORDERED, THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2004.
2. The water user shall install and maintain flow control devices, in-line flow meters, weirs or other suitable devices for measuring and recording the quantity of water delivered from each source to the center pivot irrigation system to insure that the proper source is being used on the proper lands. The type and plans of the flow control and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall report total flow figures when requested by the Watermaster. The Watermaster may operate the flow control devices and monitor the accuracy of the measuring device, as needed.
3. The former places of use shall no longer be irrigated as a part of these water rights.
4. 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 conditions and limitations contained in the decree and permit governing the use of water under the subject rights. Except as modified herein, all other conditions and restrictions of Volume 3, at Page 127 and Certificate 55323, as modified by subsequent orders of the Director, remain in effect.

This order, together with the order approving Transfer Application T-8320, cancels Certificates 2554 and 55323. New certificates will be issued to confirm those portions of the rights NOT involved in this transfer. When satisfactory proof of the completed changes are received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed AUG 07 2003.

  
Paul R. Cleary