

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN POINT OF DIVERSION AND 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 TRANSFER 6368 submitted by

DEAN FORTH
ROUTE 2, BOX 230
PENDLETON, OREGON 97801

to use the waters of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for the purpose of IRRIGATING 13.9 ACRES.

The rights to be transferred were confirmed by decrees of the Circuit Court of the State of Oregon for UMATILLA County. The decrees are recorded in the Order Record of the WATER RESOURCES DIRECTOR in Volume 3, at page 241, entered September 9, 1916, in the name of J.E. Smith Livestock Company and Volume 15, at page 428, entered December 15, 1953, in the name of Brown's Dairy. The dates of priority are 1890 and 1902.

This right is limited to 0.174 cubic foot per second, if available at the original point of diversion: NW 1/4 NE 1/4, SECTION 14, T 2 N, R 31 E, W.M.; SOUTH 53 DEGREES 30 MINUTES EAST 1235 FEET FROM THE NORTH 1/4 CORNER OF SECTION 14, or its equivalent in case of rotation, measured at the point of diversion from the source.

The new points of diversion are located as follows:

NE 1/4 SW 1/4, NW 1/4 SW 1/4, SECTION 16, T 2 N, R 31 E, W.M.; SOUTH 68 DEGREES 19 MINUTES EAST 2012 FEET; SOUTH 49 DEGREES 20 MINUTES EAST 1145 FEET; BOTH FROM THE WEST 1/4 CORNER OF SECTION 16.

A description of the new place of use is as follows:

	<u>1890</u>	<u>1902</u>
NW 1/4 NE 1/4		0.6 ACRE
SW 1/4 NE 1/4	3.8 ACRES	9.5 ACRES
SECTION 17		
TOWNSHIP 2 NORTH, RANGE 31 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.

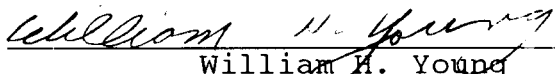
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1992.
2. The quantity of water diverted at the new points of diversion shall not exceed the quantity of water available at the original point 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. The following former place of use shall no longer be irrigated as a part of this water right:

	<u>1890</u>	<u>1902</u>
SW 1/4 NW 1/4	3.8 ACRES	
SECTION 15		
SE 1/4 NE 1/4		8.0 ACRES
NE 1/4 SE 1/4		2.1 ACRES
SECTION 16		
TOWNSHIP 2 NORTH, RANGE 31 EAST, W.M.		

When satisfactory proof of the completed change is received, a certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources Director, affixed January 8, 1991.



 William H. Young

Recorded in Special Order Records at Volume 45, page 14.