

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN PLACE OF USE

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 6442 submitted by

STEVEN AND CARI KOESTER  
33009 WEST SPEARMAN ROAD  
HERMISTON, OREGON 97838.

The right to be modified, as evidenced by a PORTION of Certificate 54118, was perfected under Permit G-8126 with a date of priority of APRIL 27, 1978. The right allows the use of the LEHMAN WELL, in the UMATILLA RIVER BASIN, for IRRIGATION of 9.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.11 cubic foot per second, if available at the original well; NW¼ NE¼, SECTION 10, T 3 N, R 29 E, WM; 50 FEET SOUTH AND 2020 FEET WEST FROM THE NE CORNER, SECTION 10, or its equivalent in case of rotation, measured at the well.

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.

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 must be filed within 60 days after the date this order is served.

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

The authorized place of use is as follows:

NW $\frac{1}{4}$ NE $\frac{1}{4}$	3.9 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	0.4 ACRE
NW $\frac{1}{4}$ NW $\frac{1}{4}$	4.9 ACRES

SECTION 10

TOWNSHIP 3 NORTH, RANGE 29 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 place of use to:

NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.2 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	6.1 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	0.7 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.2 ACRE

SECTION 10

TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

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

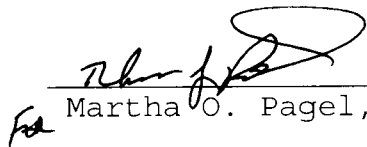
1. The proposed change shall be completed on or before October 1, 2001.
2. The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available from the original point 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. The former place of use shall no longer be irrigated as part of this water right.

Certificate 54118 is canceled. 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 OCT 05 1999.

  
Martha O. Pagel, Director