

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE 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 7643 submitted by

KENT AND CLARENCE WALISER
ROUTE 2 BOX 357
MILTON-FREEWATER, OREGON 97862.

The first right to be modified, as evidenced by a portion of Certificate 50401, was perfected under Permit 1216 with a date of priority of MARCH 25, 1912. The right allows the use of the LITTLE WALLA WALLA RIVER, a tributary of the WALLA WALLA RIVER, for IRRIGATION of 20.0 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 authorized point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 35, T 6 N, R 35 E, WM; 5 FEET NORTH AND 1100 FEET WEST FROM THE SE CORNER, SECTION 35, 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 an other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated during the irrigation season of each year.

This is a final order in other that contested case. Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-005, you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the time specified by ORS 183.484(2).

T-7643.LHN

Special Order Volume 53, Page 1403

The second right to be modified, as evidenced by a portion of Certificate 49482, was perfected under Permit 26001 with a date of priority of JANUARY 16, 1959. The right allows the use of the LITTLE WALLA WALLA RIVER, a tributary of the WALLA WALLA RIVER, for SUPPLEMENTAL IRRIGATION OF 20.0 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.50 cubic feet per second, if available at the authorized point of diversion: SE¼ SE¼, SECTION 35, T 6 N, R 35 E, WM; 5 FEET NORTH AND 1100 FEET WEST FROM THE SE CORNER, SECTION 35, 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 an other right existing for the same lands, is limited to 0.0375 of one cubic foot per second per acre or its equivalent 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:

NE¼ NW¼ SE¼ 10.0 ACRES
SW¼ SE¼ 10.0 ACRES
SECTION 34
TOWNSHIP 6 NORTH, RANGE 35 EAST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

The applicants propose to COMBINE the water rights to IRRIGATE 10.0 ACRES and change the place of use to:

NE¼ SE¼ SW¼ 10.0 ACRES
SECTION 34
TOWNSHIP 6 NORTH, RANGE 35 EAST, W.M.

5. The amount of water to which this portion of the right perfected under Permit 26001 is entitled is limited to an amount actually beneficially used and shall not exceed 0.125 cubic foot per second, if available at the authorized point of diversion: SE¼ SE¼, SECTION 35, T 6 N, R 35 E, WM; 5 FEET NORTH AND 1100 FEET WEST FROM THE SE CORNER, SECTION 35, or its equivalent in case of rotation, measured at the point of diversion from the source.
7. The amount of water used for irrigation under this portion of the right perfected under Permit 26001, together with the amount secured under any other right existing for the same lands, is limited to 0.0375 of one cubic foot per second per acre or its equivalent for each acre irrigated during the irrigation season of each year.
6. The remainder of the water allowed for this portion of the right perfected under Permit 26001, not to exceed 0.375 cubic foot per second, shall be returned to the source and shall be available for appropriation in accordance with Oregon water law.

Certificates 50401 AND 49482 are canceled. New certificate will be issued to confirm those portions of these rights NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director,

affixed NOV 8 1999.



For Martha O. Pagel, Director

The applicants propose to increase the authorized rate for this portion of the right perfected under Permit 1216 to ONE-FORTIETH of one cubic foot per second per acre irrigated.

The receiving landowner is:

JAMES S. GIBBON
P.O. BOX 66012
VANCOUVER, WASHINGTON 98666

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, 2001.
2. 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.
3. The former place of use shall no longer be irrigated as a part of this water right.
4. The amount of water used for irrigation under this portion of the right perfected under Permit 1216, 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 during the irrigation season of each year.