

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 6970 submitted by

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The first right to be modified, as evidenced by a portion of Certificate 75125, was perfected under Permit G-6893 with a date of priority of JULY 19, 1976. The right allows the use of WELL 1 in the SPIKES GULCH BASIN, for IRRIGATION OF 250.4 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.39 cubic feet per second.

The authorized point of appropriation is located as follows:

WELL 1 - SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 23, T 3 N, R 28 E, W.M.; 960 FEET NORTH AND 30 FEET EAST FROM S $\frac{1}{4}$ CORNER, SECTION 23.

The authorized place of use is as follows:

| | |
|-----------------------------------|------------|
| NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 31.3 ACRES |
| NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 31.3 ACRES |
| SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 31.3 ACRES |
| SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 31.3 ACRES |

SECTION 29

| | |
|-----------------------------------|------------|
| NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 31.3 ACRES |
| NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 31.3 ACRES |
| SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 31.3 ACRES |
| SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 31.3 ACRES |

SECTION 32

TOWNSHIP 3 NORTH, RANGE 28 EAST, W.M.

The second right to be modified, as evidenced by a portion of Certificate 75423 was perfected under Permit G-7036 with a priority of DECEMBER 2, 1976. The right allows the use of WELL 3 in the SPIKES GULCH BASIN, for SUPPLEMENTAL IRRIGATION OF 156.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.67 cubic feet per second.

The authorized point of appropriation is located as follows:
WELL 3 - NW ¼ NW ¼, SECTION 23, T 3 N, R 28 E, W.M.;
60 FEET SOUTH AND 820 FEET EAST FROM NW CORNER, SECTION 23.

The authorized place of use is as follows:

| | |
|-----------|------------|
| NE ¼ SE ¼ | 31.3 ACRES |
| NW ¼ SE ¼ | 31.3 ACRES |
| SW ¼ SE ¼ | 31.3 ACRES |
| SE ¼ SE ¼ | 31.3 ACRES |

SECTION 29

| | |
|-----------|------------|
| NE ¼ NW ¼ | 31.3 ACRES |
|-----------|------------|

SECTION 32

TOWNSHIP 3 NORTH, RANGE 28 EAST, W.M.

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, provided further that the right allowed herein for supplemental irrigation shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

The water user shall install and maintain in-line flow meters or other suitable devices for measuring and recording the quantity of water used from each well. The type and plans for the measuring devices must be approved by the Department prior to using the water at the new place of use. Installation and maintenance shall be under the general supervision of the Department.

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

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 places of use to:

Primary Permit G-6893

| | |
|---------|------------|
| NW¼ SW¼ | 31.3 ACRES |
| SW¼ SW¼ | 31.3 ACRES |
| SE¼ SW¼ | 31.3 ACRES |

Primary Permit G-6893 and Supplemental Permit G-7036

| | |
|---------|------------|
| NE¼ SW¼ | 31.3 ACRES |
| NE¼ SE¼ | 31.3 ACRES |
| NW¼ SE¼ | 31.3 ACRES |
| SW¼ SE¼ | 31.3 ACRES |
| SE¼ SE¼ | 31.3 ACRES |

SECTION 33

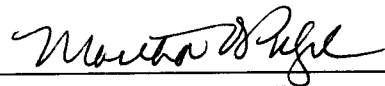
TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

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, 1999.
2. The former places of use shall no longer be irrigated as part of these water rights.

Certificate 75125 and 75423 are canceled. New certificates will be issued to confirm those portions of the rights NOT involved in this transfer. When satisfactory proof of the completed changes is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed 3/25/98 .



Martha O. Pagel, Director