

STATE OF OREGON

COUNTY OF UNION

ORDER APPROVING AN ADDITIONAL POINT OF APPROPRIATION,  
CHANGE IN USE AND CANCELLING WATER RIGHTS

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 6760 submitted by

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LA GRANDE, OREGON 97850

The first right to be modified, as evidenced by Certificate 42978, was perfected under Permit G-4428 with a date of priority of November 13, 1968. The right allows the use of five wells, a tributary of the GRAND RONDE BASIN, for IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 986.6 ACRES. The amount of water to which this right is entitled is limited to an amount beneficially used and shall not exceed 10.75 cubic feet per second, being 1.48 c.f.s. from No. 1, 3.30 c.f.s. from No. 2, 3.30 c.f.s. from No. 4, and 2.67 c.f.s. from No. 5 for irrigation of lands tabulated under well No. 5 to be made up by appropriation from wells 1 and 3 provided the quantity appropriated from well No. 3 shall not exceed 0.89 c.f.s. and the total quantity appropriated for these lands shall not exceed the limitations of the duty of water as fixed herein, if available at the original wells; #1-1350 feet North and 30 feet West from SE corner, Section 7, being within NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 7, T 3 S, R 39 E, W.M., #2-1330 feet North and 670 feet West from SE corner, Section 5, being within NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 5, T 3 S, R 39 E, W.M., #3-2550 feet North and 1340 feet East from SW corner, Section 5, being within NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 5, T 3 S, R 39 E, W.M.; #4-1400 feet North and 580 feet West from SE corner, Section 8, being within NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, T 3 S, R 39 E, W.M.; #5-2700 feet North and 1470 feet West from SE corner, Section 6, being within SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 6, T 3 S, R 39 E, W.M., 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 for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acres, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

T-6760.VLC/LN

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AMENDED by special order

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

The authorized place of use is as follows:

Well No. 1  
Primary  
39.1 ACRES NE $\frac{1}{4}$  NW $\frac{1}{4}$   
40.0 ACRES NW $\frac{1}{4}$  NW $\frac{1}{4}$   
39.1 ACRES SE $\frac{1}{4}$  NW $\frac{1}{4}$   
SECTION 8  
TOWNSHIP 3 SOUTH,  
RANGE 39 EAST, W.M.

Well No. 2  
Primary  
40.0 ACRES NE $\frac{1}{4}$  NE $\frac{1}{4}$   
39.1 ACRES NW $\frac{1}{4}$  NE $\frac{1}{4}$   
39.1 ACRES SW $\frac{1}{4}$  NE $\frac{1}{4}$   
40.0 ACRES SE $\frac{1}{4}$  NE $\frac{1}{4}$   
39.1 ACRES NE $\frac{1}{4}$  SE $\frac{1}{4}$   
38.2 ACRES NW $\frac{1}{4}$  SE $\frac{1}{4}$   
SECTION 8  
TOWNSHIP 3 SOUTH,  
RANGE 39 EAST, W.M.

40.0 ACRES NW $\frac{1}{4}$  NW $\frac{1}{4}$   
40.0 ACRES SW $\frac{1}{4}$  NW $\frac{1}{4}$   
39.6 ACRES NW $\frac{1}{4}$  SW $\frac{1}{4}$   
SECTION 9  
TOWNSHIP 3 SOUTH,  
RANGE 39 EAST, W.M.

Well No. 5  
Primary  
11.5 ACRES NW $\frac{1}{4}$  SE $\frac{1}{4}$   
SECTION 6  
TOWNSHIP 3 SOUTH,  
RANGE 39 EAST, W.M.

Well No. 4  
Supplemental  
39.1 ACRES NE $\frac{1}{4}$  SW $\frac{1}{4}$   
39.1 ACRES NW $\frac{1}{4}$  SW $\frac{1}{4}$   
40.0 ACRES SW $\frac{1}{4}$  SW $\frac{1}{4}$   
SECTION 4  
39.1 ACRES NE $\frac{1}{4}$  SE $\frac{1}{4}$   
38.2 ACRES NW $\frac{1}{4}$  SE $\frac{1}{4}$   
39.1 ACRES SW $\frac{1}{4}$  SE $\frac{1}{4}$   
40.0 ACRES SE $\frac{1}{4}$  SE $\frac{1}{4}$   
SECTION 5  
40.0 ACRES NE $\frac{1}{4}$  NE $\frac{1}{4}$   
39.1 ACRES NW $\frac{1}{4}$  NE $\frac{1}{4}$   
39.1 ACRES SW $\frac{1}{4}$  NE $\frac{1}{4}$   
40.0 ACRES SE $\frac{1}{4}$  NE $\frac{1}{4}$   
39.1 ACRES NE $\frac{1}{4}$  SE $\frac{1}{4}$   
38.2 ACRES NW $\frac{1}{4}$  SE $\frac{1}{4}$   
SECTION 8  
40.0 ACRES NW $\frac{1}{4}$  NW $\frac{1}{4}$   
40.0 ACRES SW $\frac{1}{4}$  NW $\frac{1}{4}$   
39.6 ACRES NW $\frac{1}{4}$  SW $\frac{1}{4}$   
SECTION 9  
TOWNSHIP 3 SOUTH,  
RANGE 39 EAST, W.M.

Well No. 1  
Supplemental  
38.9 ACRES NE $\frac{1}{4}$  SE $\frac{1}{4}$   
28.3 ACRES NW $\frac{1}{4}$  SE $\frac{1}{4}$   
40.0 ACRES SW $\frac{1}{4}$  SE $\frac{1}{4}$   
40.0 ACRES SE $\frac{1}{4}$  SE $\frac{1}{4}$   
SECTION 6  
40.0 ACRES NE $\frac{1}{4}$  NE $\frac{1}{4}$   
40.0 ACRES NW $\frac{1}{4}$  NE $\frac{1}{4}$   
SECTION 7  
TOWNSHIP 3 SOUTH,  
RANGE 39 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 an additional point of appropriation to: NW¼ NE¼, Section 8, T 3 S, R 39 E, W.M.; 1330 feet North and 70 feet West from the SE corner, Section 7.

The applicant proposes to change the use from supplemental irrigation to irrigation for the following:

Well No. 4  
39.1 ACRES NE¼ SW¼  
39.1 ACRES NW¼ SW¼  
40.0 ACRES SW¼ SW¼  
SECTION 4

39.1 ACRES NE¼ SE¼  
38.2 ACRES NW¼ SE¼  
39.1 ACRES SW¼ SE¼  
40.0 ACRES SE¼ SE¼  
SECTION 5  
TOWNSHIP 3 SOUTH,  
RANGE 39 EAST, W.M.

Well No. 1  
38.9 ACRES NE¼ SE¼  
28.3 ACRES NW¼ SE¼  
40.0 ACRES SW¼ SE¼  
40.0 ACRES SE¼ SE¼  
SECTION 6

40.0 ACRES NE¼ NE¼  
40.0 ACRES NW¼ NE¼  
SECTION 7  
TOWNSHIP 3 SOUTH,  
RANGE 39 EAST, W.M.

The second right to be modified, as evidenced by Certificate 34633, was perfected under Permit G-2520 with a date of priority of October 9, 1963. The right allows the use of Well No. 1, a tributary of the GRAND RONDE BASIN, for IRRIGATION OF 231.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 189.4 ACRES. The amount of water to which this right is entitled is limited to an amount beneficially used and shall not exceed 4.64 cubic feet per second, if available at the original well; #1-1330 feet North and 70 feet West from SE corner, Section 7, being within NE¼ SE¼, Section 7, T 3 S, R 39 E, W.M., 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 for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acres, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 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 as follows:

Primary	Supplemental
39.7 ACRES SW $\frac{1}{4}$ NE $\frac{1}{4}$	39.6 ACRES NE $\frac{1}{4}$ SE $\frac{1}{4}$
39.7 ACRES SE $\frac{1}{4}$ NE $\frac{1}{4}$	35.0 ACRES NW $\frac{1}{4}$ SE $\frac{1}{4}$
4.6 ACRES NW $\frac{1}{4}$ SE $\frac{1}{4}$	5.0 ACRES SW $\frac{1}{4}$ SE $\frac{1}{4}$
34.0 ACRES SW $\frac{1}{4}$ SE $\frac{1}{4}$	SECTION 7
38.8 ACRES SE $\frac{1}{4}$ SE $\frac{1}{4}$	30.0 ACRES NE $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 7	39.8 ACRES NW $\frac{1}{4}$ SW $\frac{1}{4}$
39.7 ACRES SW $\frac{1}{4}$ NW $\frac{1}{4}$	10.0 ACRES SW $\frac{1}{4}$ SW $\frac{1}{4}$
9.0 ACRES NE $\frac{1}{4}$ SW $\frac{1}{4}$	30.0 ACRES SE $\frac{1}{4}$ SW $\frac{1}{4}$
22.0 ACRES SW $\frac{1}{4}$ SW $\frac{1}{4}$	SECTION 8
4.0 ACRES SE $\frac{1}{4}$ SW $\frac{1}{4}$	TOWNSHIP 3 SOUTH,
SECTION 8	RANGE 39 EAST, W.M.
TOWNSHIP 3 SOUTH,	
RANGE 39 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 an additional points of appropriation to: Well No. #6 - NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 8, T 3 S, R 39 E, W.M.; 1330 feet north and 70 feet West from the SE corner, Section 7, Well No. #1-1350 feet North and 30 feet West from SE corner, Section 7, being within NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 7, T 3 S, R 39 E, W.M., Well No. #2-1330 feet North and 670 feet West from SE corner, Section 5, being within NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 5, T 3 S, R 39 E, W.M., Well No. #3-2550 feet North and 1340 feet East from SW corner, Section 5, being within NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 5, T 3 S, R 39 E, W.M.; Well No. #4-1400 feet North and 580 feet West from SE corner, Section 8, being within NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, T 3 S, R 39 E, W.M.; Well No. #5-2700 feet North and 1470 feet West from SE corner, Section 6, being within SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 6, T 3 S, R 39 E, W.M.

The applicant proposes to change the use from supplemental irrigation to irrigation for the following:

39.6 ACRES NE $\frac{1}{4}$ SE $\frac{1}{4}$	30.0 ACRES NE $\frac{1}{4}$ SW $\frac{1}{4}$
35.0 ACRES NW $\frac{1}{4}$ SE $\frac{1}{4}$	39.8 ACRES NW $\frac{1}{4}$ SW $\frac{1}{4}$
5.0 ACRES SW $\frac{1}{4}$ SE $\frac{1}{4}$	10.0 ACRES SW $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 7	30.0 ACRES SE $\frac{1}{4}$ SW $\frac{1}{4}$
	SECTION 8
TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.	

An affidavit was received from Maurice L. Weishaar, Frances D. Weishaar, and Stanley F. Weishaar, the owners of certain land and the water right appurtenant to it. A source of water for this water right has been abandoned and is requested to be canceled.

The abandoned water right is a portion of the right described by Certificate 6298, State Record of Water Right Certificates. The abandoned water right is for the use of 4.75 cubic feet per second from Grande Ronde River, a tributary of Columbia River. The date of priority is 1871. The abandoned water right is for irrigation.

A description of the place of use of the abandoned right is as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$	30.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	35.0 ACRES	NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	5.0 ACRES	SW $\frac{1}{4}$ SW $\frac{1}{4}$	10.0 ACRES
	SECTION 7	SE $\frac{1}{4}$ SW $\frac{1}{4}$	30.0 ACRES
			SECTION 8
	TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.		

An affidavit was received from Maurice L. Weishaar, Frances D. Weishaar, and Stanley F. Weishaar, the owners of certain land and the water right appurtenant to it. A source of water for this water right has been abandoned and is requested to be canceled.

The abandoned water right is a portion of the right described by Certificate 34638 State Record of Water Right Certificates. The abandoned water right is for the use of 0.68 cubic foot per second from Grande Ronde River, a tributary of Columbia River. The date of priority is December 17, 1962. The abandoned water right is for irrigation.

A description of the place of use of the abandoned right is as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$	38.7 ACRES	NE $\frac{1}{4}$ SE $\frac{1}{4}$	38.9 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	39.7 ACRES	NW $\frac{1}{4}$ SE $\frac{1}{4}$	28.3 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 ACRES	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	39.4 ACRES	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES
	SECTION 5		SECTION 6
		NE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0 ACRES
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	40.0 ACRES
			SECTION 7
	TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.		

ORS 540.621 provides: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the commission shall enter an order canceling the water right."

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, 1998.
2. The quantity of water diverted at the new point of appropriation (well), together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available from the original points of appropriation.
3. When required by the Department the water user shall install in-line flow meters or other suitable devices for measuring and recording the quantity of water used. The type and plans of the measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same aquifer as the original points of appropriation.

The portions of the water rights requested to be cancelled as described herein, are cancelled.

Certificates 34633 and 42978 are 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, new certificates confirming this water right will be issued.

WITNESS the signature of the Water Resources  
Director, affixed March 10, 1997.

  
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Martha O. Page, Director