

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION

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 7564 submitted by

VIRGINIA M. BLADE  
33251 WEST SPEARMAN ROAD  
HERMISTON, OREGON 97838.

The right to be modified, as evidenced by a portion of Certificate 75234, was perfected under Permit G-1164 with a date of priority of OCTOBER 28, 1958. The right allows the use of A WELL, a tributary of COLD SPRINGS DRAIN DITCH BASIN, for IRRIGATION OF 5.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.0625 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 28, T 5 N, R 29 E, W.M.; 10 $\frac{1}{4}$  CHAINS NORTH AND 24 $\frac{1}{2}$  CHAINS WEST FROM CENTER, SECTION 28, or its equivalent in case of rotation, measured at the point of diversion from the source.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day period specified by ORS 183.484(2).

Pursuant to ORS 536.075, and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

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 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 located as follows:

SE $\frac{1}{4}$  NW $\frac{1}{4}$             5.0 ACRES  
SECTION 28  
TOWNSHIP 5 NORTH, RANGE 29 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 applicant proposes to change the point of appropriation to:

SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 28, TOWNSHIP 5 NORTH, RANGE 29 EAST, W.M.; 30 FEET NORTH AND 790 FEET WEST FROM CENTER, SECTION 28.

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

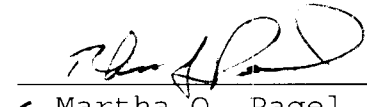
1. The proposed change shall be completed on or before October 1, 2001.
2. The quantity of water diverted at the new point of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.

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. Water shall be acquired from the same ground water source as the original point of appropriation.

Certificate 75234 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 APR 21 2000.

  
\_\_\_\_\_  
for Martha O. Pagel, Director