

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING CHANGES 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 8373 submitted by

DAVID L. AND SANDRA L. UMBARGER  
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PENDLETON, OREGON 97801.

The right to be modified, as evidenced by a PORTION of Certificate 53554, was perfected under Permit G-8964 with a date of priority of MARCH 13, 1980. The right allows the use of A WELL, in the PATAWA CREEK BASIN, for IRRIGATION OF 68.33 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.85 cubic foot per second, if available at the original well; SW¼ SW¼, SECTION 32, T 2 N, R 33 E, W.M.; 1320 FEET NORTH AND 1310 FEET EAST FROM THE SOUTHWEST CORNER, SECTION 32, or its equivalent in case of rotation, measured at the well.

This is an order other than 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 time 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 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.

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

The authorized place of use is as follows:

NW¼ SW¼	10.05 ACRES (Well 2)
NW¼ SW¼	10.05 ACRES (Well 3)
SW¼ SW¼	10.05 ACRES (Well 4)
SW¼ SW¼	9.55 ACRES (Well 5)
SW¼ SW¼	9.55 ACRES (Well 6)
SE¼ SW¼	9.54 ACRES (Well 7)
SE¼ SW¼	9.54 ACRES (Well 8)

SECTION 32

TOWNSHIP 2 NORTH, RANGE 33 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 point of appropriation to:

NW¼ SW¼, SW¼ SW¼, SE¼ SW¼, SECTION 32, T 2 N, R 33 E, W.M.; WELL 2 - 2575 FEET NORTH AND 85 FEET EAST; WELL 3 - 1963 FEET NORTH AND 50 FEET EAST; WELL 4 - 1260 FEET NORTH AND 40 FEET EAST; WELL 5 - 647 FEET NORTH AND 153 FEET EAST; WELL 6 - 250 FEET NORTH AND 1175 FEET EAST; WELL 7 - 256 FEET NORTH AND 1819 FEET EAST; WELL 8 - 378 FEET NORTH AND 2617 FEET EAST; ALL FROM THE SOUTHWEST CORNER, SECTION 32.

THESE CHANGES TO AN EXISTING WATER RIGHT 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. The quantity of water diverted at the new points of appropriation (wells), 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 users shall install in-line flow meters or other suitable devices for measuring and recording the quantity of water used. The types 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 point of appropriation.

Certificate 53554 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 changes is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources Director,

affixed APR 25 2000.

  
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Martha O. Pagel, Director