

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN PLACE OF USE
AND ADDITIONAL POINTS 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 8419, submitted by

CHESTER PRIOR
32327 OREGON TRAIL ROAD
ECHO, OREGON 97826

The first right to be modified, as evidenced by Certificate 54564, was perfected under Permit G-6588, with a date of priority of OCTOBER 15, 1975. The right allows the use of A WELL, in the UMATILLA RIVER BASIN, for IRRIGATION OF 267.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 3.34 cubic foot per second, if available at the original well: NW¼ NE¼, SECTION 10, T 2 N, R 28 E, W.M.; 1020 FEET SOUTH AND 1670 FEET WEST FROM THE NE CORNER, SECTION 10, or its equivalent in case of rotation, measured at the well.

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 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 for the same lands, shall be 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:

NW¼ SW¼ 15.4 ACRES

SW¼ SW¼ 12.4 ACRES

SECTION 2

NE¼ SW¼ 39.2 ACRES

NW¼ SW¼ 20.4 ACRES

SW¼ SW¼ 21.6 ACRES

SE¼ SW¼ 37.2 ACRES

NE¼ SE¼ 40.4 ACRES

NE¼ SE¼ 21.6 ACRES

SW¼ SE¼ 20.4 ACRES

SE¼ SE¼ 38.6 ACRES

SECTION 3

TOWNSHIP 2 NORTH, RANGE 28 EAST, W.M.

The second right to be modified, as evidenced by Certificate 54565, was perfected under Permit G-7014, with a date of priority of OCTOBER 15, 1976. The right allows the use of A WELL, in the UMATILLA RIVER BASIN, for IRRIGATION OF 108.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.36 cubic foot per second, if available at the original well: NW¼ NE¼, SECTION 10, T 2 N, R 28 E, W.M.; 1020 FEET SOUTH AND 1670 FEET WEST FROM THE NE CORNER, SECTION 10, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under an other right existing for the same lands, shall

be 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:

SW¼ NW¼	23.2 ACRES
SE¼ NW¼	28.8 ACRES
NE¼ SW¼	31.2 ACRES
NW¼ SW¼	25.6 ACRES

SECTION 11

TOWNSHIP 2 NORTH, RANGE 28 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 place of use to:

PERMIT G-6588

NE¼ NE¼	31.3 ACRES
NW¼ NE¼	31.3 ACRES
SW¼ NE¼	31.2 ACRES
SE¼ NE¼	31.2 ACRES
NE¼ NW¼	31.3 ACRES
NW¼ NW¼	31.3 ACRES
SW¼ NW¼	31.2 ACRES
SE¼ NW¼	31.2 ACRES

SECTION 3

TOWNSHIP 2 NORTH, RANGE 28 EAST, W.M.

SW¼ SW¼	17.2 ACRES
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SECTION 26

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

PERMIT G-7014

NE¼ SW¼ 31.5 ACRES
NW¼ SW¼ 31.5 ACRES
SW¼ SW¼ 14.3 ACRES
SE¼ SW¼ 31.5 ACRES

SECTION 26

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

The applicant proposes to add additional points of appropriation to:

SE¼ NW¼, SECTION 1, SE¼ NW¼, NE¼ SE¼, SECTION 2, T 2 N, R 28 E, W.M.; WELL 4 - 2640 FEET SOUTH AND 630 FEET WEST FROM THE NORTH 1/4 CORNER, SECTION 1; WELL 7 - 2500 FEET SOUTH AND 2580 FEET EAST FROM THE NW CORNER, SECTION 2; WELL 8 - 2800 FEET SOUTH AND 500 FEET WEST FROM THE NE CORNER, SECTION 2.

THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

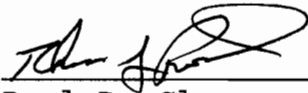
1. The proposed change shall be completed on or before October 1, 2002.
2. The quantity of water diverted at the new points of appropriation (well), together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
3. 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 aquifer as the original point of appropriation.
5. The former place of use shall no longer be irrigated as a part of this water right.

Certificates 54564 and 54565 are canceled. When satisfactory proof of the completed changes are received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources

Director, affixed APR 19 2001.



for Paul R. Cleary, Director