

STATE OF OREGON
COUNTY OF MORROW
ORDER APPROVING CHANGES IN USE, PLACE OF USE,
AND 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 7105 submitted by

JEDEDIAH AYLETT
ROUTE 1 BOX 1818
HERMISTON, OREGON 97838.

The first right to be modified, as evidenced by a PORTION of Certificate 60557, was perfected under Permit U-725 with a date of priority of MAY 2, 1955. The right allows the use of CHAPMAN WELL 2, tributary of the COLUMBIA RIVER BASIN, for IRRIGATION OF 5.12 ACRES. The right is limited to 0.064 cubic foot per second, if available at the original well; NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 28, T 4 N, R 27 E, WM; WELL 2 - 24.5 CHAINS NORTH AND 19.5 CHAINS EAST, BOTH FROM THE SW CORNER, SECTION 28, or its equivalent in case of rotation, measured at the well.

The second right to be modified, as evidenced by a PORTION of Certificate 60553, was perfected under Permit G-190 with a date of priority of MARCH 26, 1956. The right allows the use of A WELL, a tributary of the UMATILLA RIVER BASIN, for IRRIGATION OF 4.4 ACRES. The right is limited to 0.055 cubic foot per second, if available at the original well; SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 28, T 4 N, R 27 E, WM; 90 FEET NORTH AND 40 FEET WEST FROM THE S $\frac{1}{4}$ CORNER, SECTION 28, or its equivalent in case of rotation, measured at the well.

The third right to be modified, as evidenced by a PORTION of Certificate 60555, was perfected under Permit G-2782 with a date of priority of FEBRUARY 4, 1965. The right allows the use of A WELL, a tributary of the UMATILLA RIVER BASIN, for IRRIGATION OF 4.4 ACRES. The right is limited to 0.055 cubic foot per second, if available at the original well; SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 28, T 4 N, R 27 E, WM; 90 FEET NORTH AND 40 FEET WEST FROM THE S $\frac{1}{4}$ CORNER, SECTION 28, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation under these rights, together with the amount secured under any other rights existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 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:

	PERMIT U-725	PERMIT G-190	PERMIT G-2782
NE $\frac{1}{4}$ SW $\frac{1}{4}$	1.28 ACRES		
NW $\frac{1}{4}$ SW $\frac{1}{4}$	1.28 ACRES		
SW $\frac{1}{4}$ SW $\frac{1}{4}$	1.28 ACRES		
SE $\frac{1}{4}$ SW $\frac{1}{4}$	1.28 ACRES		

SECTION 28

NE $\frac{1}{4}$ SW $\frac{1}{4}$	2.2 ACRES	
NW $\frac{1}{4}$ SW $\frac{1}{4}$	2.2 ACRES	
SW $\frac{1}{4}$ SW $\frac{1}{4}$		2.2 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$		2.2 ACRES

SECTION 33

TOWNSHIP 4 NORTH, RANGE 27 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 character of use to MINING WATER USE.

The applicant proposes to change the place of use to:

S $\frac{1}{2}$ SW $\frac{1}{4}$
SECTION 21

N $\frac{1}{2}$ NW $\frac{1}{4}$
SECTION 28
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

And, the applicant proposes to change the point of appropriation to:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 28, T 4 N, R 27 E, WM; WELL 3 - 4940 FEET NORTH AND 1350 FEET EAST FROM THE SW CORNER, SECTION 28.

The authorized places of use are also included in Permit G-10836, in the name of County Line Improvement District, for use of water from artificially recharged ground water for supplemental irrigation. Proof of appropriation has not been completed for permit G-10836. Permit G-10836 is not subject to transfer. Therefore, the lands involved in this transfer should be removed from Permit G-10836.

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, 1996.
2. The use of water under these rights shall be limited to the irrigation season of each year.
3. The quantity of water appropriated under these rights shall be limited to 15.36 Acre Feet under Permit U-725, 13.20 AF under Permit G-190, and 13.20 AF under Permit G-2782, each irrigation season of each year.

4. 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 available from the original points of appropriation.
5. The water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
6. The water user shall install and maintain adequate treatment facilities, meeting current DEQ requirements, before discharging the water after use.
7. Water shall be acquired from the same aquifer as the original points of appropriation.
8. These rights are subject to the terms and conditions of the Findings, Conclusions and Order, on the Question of Determination of a Critical Ground Water Area in the Ordnance Area, Morrow and Umatilla Counties, Oregon, of the Water Resources Director, entered April 2, 1976, at Special Order Volume 27, Page 40.
9. The former places of use, perfected under Permits U-725, G-190, and G-2782, shall no longer be irrigated as part of these water rights.
10. The former places of use shall no longer be a part of Permit G-10836, in the name of County Line Improvement District, for use of water from artificially recharged ground water for supplemental irrigation.

Certificates 60557, 60553, and 60555 are cancelled. 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 December 14, 1994.



Martha O. Pagel, Director