

STATE OF OREGON

COUNTIES OF MORROW AND UMATILLA

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.530, 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 6680 submitted by

EUGENE W. WIGLESWORTH
HC 70 BOX 408
ECHO, OREGON 97826.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 64173. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 250. The date of priority is 1872 FOR TRACT 1, 1890 FOR TRACT 2, AND 1896 FOR TRACT 3.

The right allows the use of BUTTER CREEK, a tributary of the UMATILLA RIVER, for IRRIGATION OF 127.5 ACRES. This right is limited to 2.53 cubic foot per second, if available at the original points of diversion identified as Diversion Points A and B herein, being 0.10 CFS for TRACT 1, 1.12 CFS for TRACT 2, and 1.31 CFS for TRACT 3, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of 4.0 acre-feet for each acre irrigated during the irrigation season of each year.

The authorized points of diversion are located as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 15; SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 10, AND NW $\frac{1}{4}$ NE $\frac{1}{4}$ AND SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 3; T 1 N, R 27 E, WM; A - 1650 FEET SOUTH AND 1250 FEET WEST FROM THE NE CORNER, SECTION 15; B - 10 FEET NORTH AND 2000 FEET WEST FROM THE E $\frac{1}{4}$ CORNER, SECTION 10; C - 370 FEET SOUTH AND 300 FEET EAST; D - 1600 FEET SOUTH AND 630 FEET EAST, BOTH FROM THE N $\frac{1}{4}$ CORNER, SECTION 3.

The authorized place of use is located as follows:

	TRACT 1	TRACT 2	TRACT 3
NW $\frac{1}{4}$ SE $\frac{1}{4}$		0.2 ACRE	
SW $\frac{1}{4}$ SE $\frac{1}{4}$	2.8 ACRES	25.6 ACRES	
SE $\frac{1}{4}$ SE $\frac{1}{4}$		0.8 ACRE	

SECTION 34
TOWNSHIP 2 NORTH, RANGE 27 EAST, W.M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$		1.3 ACRES	
NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.2 ACRES	26.8 ACRES	
SW $\frac{1}{4}$ NE $\frac{1}{4}$		1.9 ACRES	24.5 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$			1.7 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$			8.9 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$			30.7 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$			0.1 ACRE

SECTION 3
TOWNSHIP 1 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 and is subject to all other conditions and limitations contained in the decree.

The applicant proposes to change the location of point of diversion C to:

NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 3, T 1 N, R 27 E, WM; 3465 FEET SOUTH AND 845 FEET EAST FROM THE N $\frac{1}{4}$ CORNER, SECTION 3.

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, 1996.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water available at the original points of diversion.
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.

Certificate 64173 is cancelled. 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 December 14, 1994.



Martha O. Pagel, Director