

STATE OF OREGON

COUNTY OF MORROW

ORDER APPROVING A CHANGE IN PLACE OF USE

Pursuant to ORS 537.705, and 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 9290 submitted by

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The first right to be modified, as evidenced by a PORTION of Certificate 75848, was perfected under Permit G-4918 with a date of priority of FEBRUARY 3, 1970. The right allows the use of THREE WELLS, in the COLUMBIA RIVER BASIN, for IRRIGATION OF 6.4 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.023 cubic foot per second (cfs), being 0.005 cfs from Well 62, 0.012 cfs from Well 62A and 0.006 cfs from Well 62B, if available at the original wells; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 23, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 10, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 3, T 2 N, R 26 E, W.M.; WELL 62 - 3700 FEET SOUTH AND 1790 FEET EAST FROM THE NW CORNER OF SECTION 23; WELL 62A - 560 FEET NORTH AND 1450 FEET EAST FROM THE SW CORNER OF SECTION 10; WELL 62B - 3500 FEET NORTH AND 350 FEET EAST FROM THE SW CORNER OF SECTION 3, or its equivalent in case of rotation, measured at the well.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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 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:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.4 ACRES
SECTION 14

TOWNSHIP 2 NORTH, RANGE 26 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 second right to be modified, as evidenced by a PORTION of Certificate 75847, was perfected under Permit 37293 with a date of priority of FEBRUARY 7, 1974. The right allows the use of COLUMBIA RIVER, a tributary of PACIFIC OCEAN, for SUPPLEMENTAL IRRIGATION OF 6.4 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.10 cubic foot per second, if available at the authorized point of diversion: LOT 7 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), SECTION 2, T 4 N, R 25 E, W.M.; 150 FEET SOUTH AND 2990 FEET WEST FROM THE NORTHEAST CORNER OF SECTION 2, or its equivalent in case of rotation, measured at the point of diversion from the source.

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-FORTIETH 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 4½ acre-feet for each acre irrigated during the irrigation season of each year. Although part of this right is supplemental, in the interest of conserving groundwater, it may be exercised when groundwater is available provided the quantity diverted from all sources does not exceed the limitation allowed herein. In the event the primary right from the wells is curtailed or abandoned, the land described as supplemental shall be considered as a primary irrigation right.

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 NE¼ 6.4 ACRES
SECTION 14

TOWNSHIP 2 NORTH, RANGE 26 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 of both rights to:

NW¼ NE¼ 0.9 ACRE
SW¼ NE¼ 1.2 ACRES
NE¼ NW¼ 4.1 ACRES
SE¼ NW¼ 0.2 ACRE
SECTION 10

TOWNSHIP 2 NORTH, RANGE 26 EAST, W.M.

THIS CHANGE 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, 2005.
2. The former place of use shall no longer be irrigated as a part of these water rights.

Certificates 75847 and 75848 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 change is received, new certificates confirming these water right will be issued.

WITNESS the signature of the Water Resources
Director, affixed DECEMBER 22, 2003



Paul R. Cleary, Director