

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION
AND CHARACTER OF USE

Pursuant to ORS 540.510 to 540.530 and 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 8629 submitted by

DANIEL HUMBERT
84741 WINESAP ROAD
MILTON-FREEWATER, OREGON 97862.

The right to be modified, as evidenced by Certificate 55623, was perfected under Permit G-9110 with a date of priority of DECEMBER 16, 1980. The right allows the use of A WELL, within the WALLA WALLA RIVER BASIN, for IRRIGATION OF 8.1 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 original well; SE¼ SW¼, SECTION 24, T 6 N, R 35 E, W.M.; 10 FEET NORTH AND 1750 FEET EAST FROM THE SW CORNER, SECTION 24, 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:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 8.10 ACRES
SECTION 24
TOWNSHIP 6 NORTH, RANGE 35 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 for a certain 2.2 acres of irrigation to a point approximately 590 feet north of the existing well. This well is located as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 24, T 6 N, R 35 E, W.M.; 600 FEET NORTH AND 1780 FEET EAST FROM THE SW CORNER, SECTION 24.

The amount of water to be appropriated from the new well for the irrigation of 2.2 acres is limited to 0.03 cubic foot per second per acre during the irrigation season of each year.

The applicant further proposes to change the CHARACTER OF USE for a certain 5.9 acres of irrigation to INDUSTRIAL USE FOR GRAVEL AND ASPHALT OPERATIONS located within:

SE $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 24
TOWNSHIP 6 NORTH, RANGE 35 EAST, W.M.

The use of water from the original well for industrial use is limited to an amount actually beneficially used and shall be limited to 0.07 cubic foot per second (31.42 gallons per minute) and shall not exceed 17.7 acre feet during the irrigation season of each year.

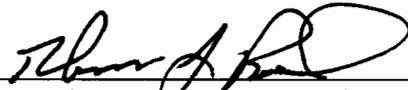
THESE CHANGES TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2004.
2. The quantity of water diverted at the new point of appropriation (well) shall not exceed the quantity of water lawfully available from the original point of appropriation.
3. When required by the Department 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.
4. Water shall be acquired from the same aquifer as the original point of appropriation.
5. The former place of use for the 5.9 acres shall no longer be irrigated as part of this water right.
6. The use of water for industrial use shall be limited to 0.07 cubic foot per second (31.42 gallons per minute) and shall not exceed 17.7 acre feet during the irrigation season of each year.

Certificate 55623 is canceled. 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 28 2003.



FBI Paul R. Cleary, Director