

STATE OF OREGON
COUNTY OF 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 6699 submitted by

ALAN D. BRANDT
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The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by a portion of Certificate 53297. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1894 FOR 1.31 ACRES AND 1907 FOR 1.47 ACRES.

The right allows the use of MCKAY CREEK, a tributary of UMATILLA RIVER, for IRRIGATION OF 2.78 ACRES AND STOCK USE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.03 cubic foot per second, if available at the authorized point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 21, T 2 N, R 32 E, W.M.; 694 FEET SOUTH AND 1929 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 21, 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 any other right for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, subject to the provisions of paragraph 33 of said decree.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.78 ACRES
SECTION 21
TOWNSHIP 2 NORTH, RANGE 32 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.

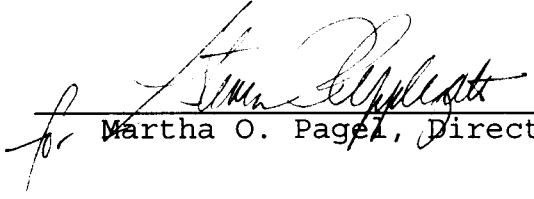
The applicant proposes to change the point of diversion to:
NE¼ NW¼, SECTION 21, T 2 N, R 32 E, W.M.; 880 FEET SOUTH AND 840
FEET WEST FROM THE NORTH ¼ CORNER, SECTION 21.

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, 1997.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. Prior to diverting water at the new point of diversion, 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 53297 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 August 1, 1996.



Martha O. Page, Director