

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING AN ADDITIONAL 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 7834 submitted by

RAY WILLIAMS
c/o T.O. WILLIAMS AND ASSOCIATES
49654 UMAPINE ROAD
MILTON-FREEWATER, OREGON 97862.

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County as evidenced by Certificate 46240. The decree is recorded in the Order Record of the Water Resources Director in Volume 7, at Page 148. The date of priority is 1874.

The right allows the use of PINE CREEK, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 137.3 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.0 acre foot per acre during any 30 day period, nor 3.0 acre feet per acre during the irrigation season beginning April 1st and ending October 1st from Pine Creek, if available at the authorized point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 21, T 6 N, R 34 E, WM; POD 1 (YOUNG DITCH) - 1650 FEET NORTH AND 1670 FEET EAST FROM THE W $\frac{1}{4}$ CORNER, SECTION 21; POD 2 (LOVE LONEY DITCH) - 1625 FEET SOUTH AND 2815 FEET EAST FROM THE NW CORNER, SECTION 21, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$	36.6 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	36.0 ACRES
SECTION 16	

NE $\frac{1}{4}$ NW $\frac{1}{4}$	32.8 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	17.8 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	13.6 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.5 ACRE
SECTION 21	

TOWNSHIP 6 NORTH, RANGE 34 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 second right to be modified, as evidenced by Certificate 38864, was perfected under Permit 29850 with a date of priority of JULY 3, 1964. The right allows the use of PINE CREEK, a tributary of the WALLA WALLA RIVER, for IRRIGATION OF 78.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.91 cubic foot per second, if available at the authorized point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 21, T 6 N, R 34 E, WM; 1650 FEET NORTH AND 1670 FEET EAST FROM THE W $\frac{1}{4}$ CORNER, 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-SIXTIETH 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 authorized place of use is located as follows:

NE $\frac{1}{4}$ NW $\frac{1}{4}$	2.5 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	10.6 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	26.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	38.9 ACRES

SECTION 21
TOWNSHIP 6 NORTH, RANGE 34 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 third right to be modified, as evidenced by Certificate 45089, was perfected under Permit 37588 with a date of priority of JANUARY 15, 1973. The right allows the use of PINE CREEK, a tributary of the WALLA WALLA RIVER, for IRRIGATION OF 14.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.25 cubic foot per second, if available at the authorized point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 21, T 6 N, R 34 E, WM; 1650 FEET NORTH AND 1670 FEET EAST FROM THE W $\frac{1}{4}$ CORNER, 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 an other right existing for the same

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-SIXTIETH 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 located as follows:

NW¼ NW¼ 11.8 ACRES
SW¼ NW¼ 3.0 ACRES
SECTION 21
TOWNSHIP 6 NORTH, RANGE 34 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 add an additional point of diversion to:

SW¼ NW¼, SECTION 35, T 6 N, R 34 E, WM; 2040 FEET SOUTH FROM THE NW CORNER, SECTION 35.

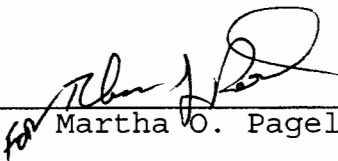
THIS CHANGE TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1999.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversions, shall not exceed the quantity of water lawfully available at the original points of diversion.
3. If water for these rights is available at the original points of diversion on Pine Creek, existing water rights on Pine Creek above the confluence of Dry Creek will not be regulated for these rights.
4. If there is insufficient water in Pine Creek to satisfy existing water rights diverting water between the original points of diversion and the proposed point of diversion, the proposed point of diversion may be regulated to satisfy the existing rights.

5. When required by the Department, the water user or irrigation district, 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.
6. When required by the Department, the water user or irrigation district shall operate and maintain the headgate and measuring device, as needed. The water user or irrigation district shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.
7. Water shall be acquired from the same surface water source as the original point of diversion.

Certificates 46240, 38864 and 45089 are canceled. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director,
affixed JUN 24 1998.


for Martha O. Pagel, Director