

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN USE AND PLACE OF USE

Pursuant to 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 7498 submitted by

HANSELL BROTHERS, INCORPORATED
ROUTE 1 BOX 1710
HERMISTON, OREGON 97838.

The right to be modified, as evidenced by a PORTION of Certificate 35395, was perfected under Permit G-1671 with a date of priority of JUNE 28, 1960. The right allows the use of A WELL, in the UMATILLA RIVER BASIN, for HOG RAISING. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.60 cubic foot per second, if available at the original well; NE¼ SE¼, SECTION 27, T 4 N, R 27 E, WM; (WELL 1) 1420 FEET NORTH AND 490 FEET WEST FROM THE SE CORNER, SECTION 27, or its equivalent in case of rotation, measured at the well.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is as follows:

SW¼ NE¼
NE¼ SE¼
NW¼ SE¼
SECTION 27
TOWNSHIP 4 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.

The applicant proposes to change the USE from hog raising to MAINTENANCE OF A WETLAND FOR WILDLIFE AND FISH. The use is for the private benefit of the transferee and is not intended to and, in fact, does not establish any right to the public.

The applicant also proposes to change the place of use to:

NW¼ NW¼
SW¼ NW¼
SECTION 2

NE¼ NE¼
NW¼ NE¼
SW¼ NE¼
SE¼ NE¼
NE¼ NW¼
SE¼ NW¼
SECTION 6

TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.

The receiving landowner is:

TYLER HANSELL
ROUTE 1 BOX 1863
HERMISTON, OREGON 97838

THESE CHANGES 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, 1998.
2. 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.
3. The former use and place of use shall no longer be receive water as part of this water right.

Certificate 35395 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 FEB 20 1997.



Martha O. Page, Director