

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION

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 6925 submitted by

KENNETH STELK
PO BOX 143
PILOT ROCK, OREGON 97868

The right to be modified, as evidenced by a PORTION of Certificate 53249, was perfected under Permit G-5510 with a date of priority of JANUARY 11, 1972. The right allows the use of A WELL, in the EAST BIRCH CREEK BASIN, for IRRIGATION OF 3.28 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.04 cubic foot per second, if available at the original well; SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 21, T 1 S, R 32 E, W.M.; 1000 FEET NORTH AND 750 FEET EAST FROM THE SW CORNER, SECTION 21, or its equivalent in case of rotation, measured at the well.

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 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 $\frac{1}{4}$ SW $\frac{1}{4}$	1.50 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	1.78 ACRES
SECTION 21	
TOWNSHIP 1 SOUTH, RANGE 32 EAST, W.M.	

This use may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of this right or as those quantities may be reduced.

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 to:

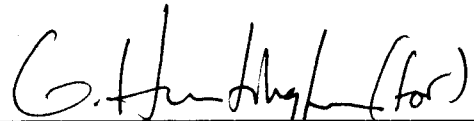
SW¼ SW¼, SECTION 21, T 1 S, R 32 E, W.M.; 1320 FEET NORTH AND 425 FEET EAST FROM THE SW CORNER, SECTION 21.

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 appropriation (well), together with the quantity diverted at the old point of appropriation, 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.

Certificate 53249 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in transfers 6820, 6925 and 7003. 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 Sept - 30, 1996.


Martha O. Pagel, Director