

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 TRANSFERS 6331 and 6332 submitted by

THOMAS A. AND JESSIE ASHBECK
STAR ROUTE
ECHO, OREGON 97826

AND

STEELMAN - DUFF, INC.
A WASHINGTON CORPORATION
1490 FAIR STREET
CLARKSTON, WA 99403

to use the waters of A WELL in the BUTTER CREEK BASIN for the purpose of ROAD CONSTRUCTION FROM FEBRUARY 27, 1990 THROUGH DECEMBER 31, 1990.

The right to be transferred, as evidenced by certificate 38855, was perfected under Permit G-3816 with a date of priority of SEPTEMBER 11, 1967. The right is limited to 0.16 cubic foot per second, or its equivalent in case of rotation, measured at the well.

The point of appropriation is located as follows:

NW 1/4 SW 1/4, SECTION 27, T 2 N, R 27 E, W.M.; 790 FEET SOUTH AND 330 FEET EAST FROM THE W 1/4 CORNER OF SECTION 27.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the new place of use is as follows:

FROM SW 1/4, SECTION 33, T 4 N, R 28 E, W.M. (I-84 JCT.)
ALONG STATE HIGHWAY 207
TO SE 1/4, SECTION 28, T 2 N, R 27 E, W.M. (BUTTERCREEK JCT.)

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

The amount of water used under this right shall be limited to 37.8 acre feet.

On January 1, 1991, or whenever notice of completion of the construction project is submitted to the Water Resources Director, the right to use the water shall revert back to supplemental irrigation of the original 12.6 acres.

A description of the returned place of use is as follows:

NW 1/4 SW 1/4 12.6 ACRES
SECTION 27
TOWNSHIP 2 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 amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year. This right is limited to an appropriation of water to make up any deficiency in the available supply of any prior right for the same land.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

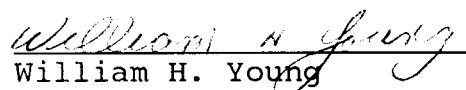
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change back to supplemental irrigation shall be completed on or before October 1, 1991.
2. The water user shall continue to maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water used.
3. The following described lands shall not be irrigated as a part of this water right during the 1990 irrigation season.

NW 1/4 SW 1/4 12.6 ACRES
SECTION 27
TOWNSHIP 2 NORTH, RANGE 27 EAST, W.M.

Certificate 38855 is canceled. 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 February 27, 1990.


William H. Young

Recorded in Special Order Records at Volume 44, Page 67.

T-6331 & T-6332.BE