

STATE OF OREGON

COUNTY OF UNION

ORDER APPROVING AN ADDITIONAL POINT OF APPROPRIATION

Pursuant to ORS 537.211, after notice was given and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, PERMIT AMENDMENT T-8746 submitted by

WILLIAM A. DeLASHMUTT, DONALD T. McCABE, WILLIAM R. DeLASHMUTT, ETTA LOU DeLASHMUTT, FERN McCABE BAY, AND SUE BETTIS
64813 OREGON HIGHWAY 237
LA GRANDE, OREGON 97850.

The permit to be modified is Permit G-13253 with a date of priority of APRIL 8, 1996. The permit allows the use of WELL 5 AND WELL 6, in the GRANDE RONDE RIVER BASIN, for IRRIGATION OF 672.88 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 8.0 CUBIC FEET PER SECOND (CFS), BEING 4.0 CFS FROM WELL 5 AND 4.0 CFS FROM WELL 6, if available at the original wells; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 1, T 3 S, R 38 E, W.M.; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 6, T 3 S, R 39 E, W.M.; WELL 5 - 60 FEET NORTH AND 819 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 1; WELL 6 - 2042 FEET NORTH AND 2718 FEET EAST FROM THE W $\frac{1}{4}$ CORNER OF SECTION 6, or its equivalent in case of rotation, measured at the wells.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

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 3.0 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 as follows:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 19.70 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 31.40 ACRES
SECTION 36

TOWNSHIP 2 SOUTH,
RANGE 38 EAST, W.M.

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 25.40 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 37.80 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 9.10 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 38.50 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 39.70 ACRES
SECTION 31

TOWNSHIP 2 SOUTH,
RANGE 39 EAST, W.M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.89 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 39.68 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 39.10 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.10 ACRES
SECTION 1

TOWNSHIP 3 SOUTH,
RANGE 38 EAST, W.M.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.57 ACRES
SECTION 5

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 38.56 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 39.68 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 34.90 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 12.50 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 39.81 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 34.93 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 34.46 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 39.10 ACRES
SECTION 6

TOWNSHIP 3 SOUTH,
RANGE 39 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 an additional point of appropriation for WELL 5 located:

WELL 7 - NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 1, T 3 S, R 38 E, W.M.;
1770 FEET NORTH AND 819 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF
SECTION 1.

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

1. The quantity of water diverted at the new point of appropriation (well), together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
2. 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.
3. Water shall be acquired from the same aquifer as the original point of appropriation.
4. All other terms and conditions of the permit remain the same.

Permit G-13253, in the name of WILLIAM A. DeLASHMUTT, DONALD T. McCABE, WILLIAM R. DeLASHMUTT, ETTA LOU DeLASHMUTT, FERN McCABE BAY, and SUE BETTIS is amended as described herein.

WITNESS the signature of the Water Resources

Director, affixed JUL 13 2001.


Paul R. Cleary, Director