

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING ADDITIONAL POINTS 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 7700 submitted by

WALLA WALLA RIVER IRRIGATION DISTRICT
605 LAMB STREET
MILTON-FREEWATER, OREGON 97863.

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 12961. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1890.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 5.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, or its equivalent in case of rotation, measured at the point of diversion from the source.

This is an order other than 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 authorized place of use is located as follows:

NW¼ NE¼ 5.0 ACRES
SECTION 3
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The second right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 12944. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1875.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 13.75 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

NW¼ NE¼ 1.95 ACRES
SW¼ NE¼ 11.8 ACRES
SECTION 3
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The third right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 13057. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1875.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 20.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

SW¼ NE¼ 20.0 ACRES
SECTION 3
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The fourth right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 12888. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1891.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 5.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

NW¼ NE¼ 5.0 ACRES
SECTION 3
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The fifth right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 13003. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The dates of priority are 1891 for Tract No. 1 and 1894 for Tract No. 2.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 13.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

TRACT No. 1

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.6 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.4 ACRES

TRACT No. 2

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.9 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 5.1 ACRES

SECTION 3

TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The sixth right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 13080. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The dates of priority are 1881 for 3.0 acres, 1894 for 2.0 acres and 1896 for 3.0 acres.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 8.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8.0 ACRES
SECTION 3
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The seventh right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 13023. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1881.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 9.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 9.0 ACRES
SECTION 3
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The eighth right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 13010. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The dates of priority are 1881 for 3.0 acres and 1888 for 5.0 acres.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 8.0 ACRES, DOMESTIC AND STOCK. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8.0 ACRES
SECTION 3
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The ninth right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 55844. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1880.

The right allows the use of the WALLA WALLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 8.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 18, T 5 N, R 36 E, W.M.; MILTON DITCH - 415 FEET NORTH & 65 FEET EAST FROM THE W $\frac{1}{4}$ CORNER, SECTION 18, 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:

NW¼ SW¼ 3.0 ACRES
SECTION 2

SE¼ NE¼ 2.2 ACRES
NE¼ SE¼ 3.3 ACRES
SECTION 3

TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The tenth right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 13030. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1885.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 4.24 ACRES, DOMESTIC AND STOCK. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

SW¼ NW¼ 4.24 ACRES
SECTION 2
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 11th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by a portion of Certificate 13008. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1891.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 1.0 ACRE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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 $\frac{1}{4}$ NW $\frac{1}{4}$ 1.0 ACRES
SECTION 2
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 12th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 12965. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1894.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 2.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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 $\frac{1}{4}$ NW $\frac{1}{4}$ 2.0 ACRES
SECTION 2
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 13th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 12966. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1896.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 2.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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 $\frac{1}{4}$ NW $\frac{1}{4}$ 2.5 ACRES
SECTION 2
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 14th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 13065. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1885.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 3.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

SW¼ NW¼ 3.5 ACRES
SECTION 2
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 15th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 12940. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1875.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 7.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

SW¼ NW¼ 7.2 ACRES
SECTION 2
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 16th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 13020. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1880.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 14.34 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.77 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 10.57 ACRES
SECTION 2
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 17th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by a portion of Certificate 12992. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1877.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 12.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 12.0 ACRES
SECTION 2
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 18th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by a portion of Certificate 12993. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1877.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION OF 5.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 5.0 ACRES
SECTION 2
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 19th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 12984. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1893.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION of 17.21 ACRES, DOMESTIC AND STOCK. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

SW¼ SE¼ 6.21 ACRES

SE¼ SE¼ 11.0 ACRES

SECTION 2

TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 20th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 13077. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1887.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION of 4.17 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

SE¼ SE¼ 4.17 ACRES

SECTION 2

TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 21st right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by a portion of Certificate 13052. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1880.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION of 2.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

SE¼ SE¼ 2.5 ACRES
SECTION 2
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 22nd right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by a portion of Certificate 13041. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1875.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION of 10.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

NE¼ NE¼ 10.0 ACRES
SECTION 11
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 23rd right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 13046. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1885.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION of 2.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.0 ACRES
SECTION 2
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 24th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 52832. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1880.

The right allows the use of the WALLA WALLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 3.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 18, T 5 N, R 36 E, W.M.; MILTON DITCH - 410 FEET NORTH AND 63 FEET EAST FROM THE SOUTHWEST CORNER, NW $\frac{1}{4}$ SECTION 18, 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:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 3.6 ACRES
SECTION 3
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 25th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 52833. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1875.

The right allows the use of the WALLA WALLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 1.21 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 18, T 5 N, R 36 E, W.M.; MILTON DITCH - 410 FEET NORTH AND 63 FEET EAST FROM THE SOUTHWEST CORNER, NW $\frac{1}{4}$ SECTION 18, 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:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.21 ACRES
SECTION 3
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 26th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 54771. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1875.

The right allows the use of the WALLA WALLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 2.98 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: SW¼ NW¼, SECTION 18, T 5 N, R 36 E, W.M.; MILTON DITCH - 410 FEET NORTH AND 63 FEET EAST FROM THE W¼ CORNER, SECTION 18, 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:

NE¼ NW¼ 2.98 ACRES
SECTION 3
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 27th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 33675. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The dates of priority are 1883 for 3.3 acres and 1885 for 2.1 acres.

The right allows the use of the WALLA WALLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 5.4 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: SW¼ NW¼, SECTION 18, T 5 N, R 36 E, W.M., 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:

NW¼ SW¼ 3.3 ACRES (1883)
NW¼ SW¼ 2.1 ACRES (1885)
SECTION 2
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 28th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 12988. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1885.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION of 3.7 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

NW¼ SE¼ 3.7 ACRES
SECTION 2
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

The 29th right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as evidenced by Certificate 12954. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority is 1881 for 2.3 acres and 1887 for 1.0 acre.

The right allows the use of the WALLA WALLA RIVER for IRRIGATION of 3.3 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE, if available at the authorized point of diversion: MILTON DITCH, 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:

NW¼ SW¼ SE¼ 2.3 ACRES

SW¼ NW¼ SE¼ 1.0 ACRE

SECTION 2

TOWNSHIP 5 NORTH, RANGE 35 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 applicant proposes to add an additional point of diversion and a point of re-diversion from the Little Walla Walla River as follows:

SW¼ NE¼, SECTION 12, T 5 N, R 35 E, W.M.; LITTLE WALLA WALLA RIVER POD - 1900 FEET SOUTH AND 3600 FEET EAST FROM THE NW CORNER, SECTION 12.

NE¼ NE¼, SECTION 2, T 5 N, R 35 E, W.M.; REDIVERSION: PLEASANT VIEW DITCH POD - 650 FEET SOUTH AND 450 FEET WEST FROM THE NE CORNER, SECTION 2.

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

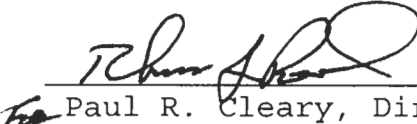
1. The proposed changes shall be completed on or before October 1, 2003.
2. The quantity of water diverted at the new points of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.

3. In the event that use of the new point of diversion, together with other water rights previously authorized to use this point of diversion and the Little Walla Walla River system down to the Pleasant View Ditch rediversion, causes capacity or flooding problems, the water rights added to the system by this point of diversion transfer will be considered junior to the other previously authorized water rights for purposes of use of the diversion and conveyance facilities (Little Walla Walla River) only. In the event of capacity problems in the Little Walla Walla River system, users of the water rights authorized by this transfer will either use the original point of diversion or will discontinue diversion until the capacity problems no longer exist.
4. The water user **shall** install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The type and plans of the headgates and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
5. The water user or irrigation district **shall** operate and maintain the headgates and measuring devices. The irrigation district or water users shall report use figures (rate and/or total volume) at any of the required measurement devices by the day, week or month when requested by the Watermaster. This reporting requirement is in addition to any other reporting requirements the district may have. The Watermaster may operate the headgates and monitor the accuracy of the measuring devices, as needed.
6. Water shall be acquired from the same surface water source as the original point of diversion.

Certificates 12961, 12944, 13057, 12888, 13003, 13080, 13023, 13010, 55844, 13030, 13008, 12965, 12966, 13065, 12940, 13020, 12992, 12993, 12984, 13077, 13052, 13041, 13046, 52832, 52833, 54771, 33675, 12988 and 12954 are canceled. New certificates will be issued to confirm those portions of the rights NOT involved in this transfer. When satisfactory proof of the completed changes are received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director,

affixed AUGUST 7, 2002.



Paul R. Cleary, Director