

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION

Pursuant to ORS 537.211, 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, PERMIT AMENDMENT T-8072 submitted by

RODNEY D. AND MARILYN K. COX
80591 CULP LANE
HERMISTON, OREGON 97838.

The permit to be modified is Permit G-12416 with a date of priority of JUNE 7, 1994. The permit allows the use of THREE WELLS, in the UMATILLA RIVER BASIN, for IRRIGATION OF 16.0 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 0.20 cubic foot per second, if available at the original wells; NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 36, T 5 N, R 28 E, W.M.; WELL 1 - 2260 FEET NORTH AND 2020 FEET WEST, WELL 2 - 555 FEET NORTH AND 770 FEET WEST, WELL 3 - 460 FEET NORTH AND 1980 FEET WEST, ALL FROM THE SE CORNER OF SECTION 36, 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 3.0 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:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.2 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 7.3 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.4 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.1 ACRE
SECTION 36
TOWNSHIP 5 NORTH, RANGE 28 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 point of appropriation to:

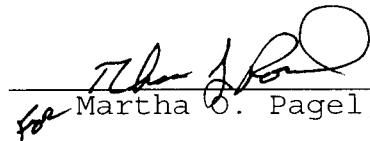
SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 36, T 5 N, R 28 E, W.M.; WELL 4 - 1310 FEET NORTH AND 1300 FEET EAST FROM THE S $\frac{1}{4}$ CORNER OF SECTION 36.

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 points of appropriation, shall not exceed the quantity of water lawfully available at the original points 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 points of appropriation.
4. All other terms and conditions of the permit remain the same.

Permit G-12416, in the name of RODNEY D. AND MARILYN K. COX is amended as described herein.

WITNESS the signature of the Water Resources
Director, affixed OCT 02 1998.


for Martha O. Pagel, Director