

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 9190 submitted by

G-2 FARMING, LLC.
c/o GREG JUUL
P.O. BOX 130
HERMISTON, OREGON 97838.

The right to be modified, as evidenced by Certificate 55023, was perfected under Permit G-9456 with a date of priority of JUNE 26, 1981. The right allows the use of C & B WELL #3, within the UMATILLA RIVER BASIN, for IRRIGATION OF 47.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.6 cubic foot per second, if available at the original well; NW¼ SE¼, SECTION 22, T 4 N, R 28 E, W.M., 2480 FEET NORTH AND 2680 FEET EAST FROM THE SW CORNER, SECTION 22, or its equivalent in case of rotation, measured at the well.

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:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 27.6 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 20.0 ACRES

SECTION 27

TOWNSHIP 4 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:

NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 27, T 4 N, R 28 E, W.M.; WELL #5 - 730 FEET SOUTH AND 150 FEET EAST FROM THE N $\frac{1}{4}$ CORNER, SECTION 27.

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, 2005.
2. **Prior** to diverting water from the new point of appropriation (Well #5), 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. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available from the original point of appropriation.
4. Water shall be acquired from the same aquifer as the original point of appropriation.
5. This transfer requests to permanently change a point of appropriation for water right Certificate 55023. The approval of this transfer application will commence for the 2004 irrigation season. At such time, the applicant's temporary transfer T-9270, approved by an order of the Water Resources Department entered February 26, 2003, is rescinded and of no further force or effect.

Certificate 55023 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 MAY 31, 2003.



Paul R. Cleary, Director