

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN POINT 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 7106 submitted by

SAM AND MARCENE K. JONES
S.W. 37TH, EXT. BOX 9
PENDLETON, OREGON 97801.

The right to be modified, as evidenced by a portion of Certificate 68339, was perfected under Permit 652 with a date of priority of MAY 3, 1911. The right allows the use of MCKAY CREEK, a tributary of the UMATILLA RIVER, for IRRIGATION OF 0.63 ACRE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.008 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 16, T 2 N, R 32 E, WM; 1010 FEET NORTH & 1030 FEET EAST FROM THE W $\frac{1}{4}$ CORNER, SECTION 16, or its equivalent in case of rotation, measured at the point of diversion from the source.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.63 ACRE
SECTION 16
TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M.

The right to use the 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 diversion to a shallow well located as follows:

NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 16, T 2 N, R 32 E, WM; 165 FEET SOUTH AND 370 FEET EAST FROM THE NORTHWEST CORNER, SECTION 16.

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, 1999.

2. The quantity of water diverted at the new point 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. When required by the Department, 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.
4. Water shall be acquired from the same surface water source as the original point of diversion.

Certificate 68339 is canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. 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 SEP 30 1998.


For Martha O. Pagel, Director