

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 8500 submitted by

PREMIERE PARTNERS, IV LIMITED PARTNERSHIP,  
AN ILLINOIS LIMITED PARTNERSHIP  
P.O. BOX 3009  
CHAMPAIGN, ILLINOIS 61926-3009.

The FIRST right to be modified, as evidenced by Certificate 44656, was perfected under Permit G-4998 with a date of priority of AUGUST 7, 1972. The right allows the use of WELL NO. 8, within the LITTLE WALLA WALLA RIVER BASIN, for SUPPLEMENTAL IRRIGATION 24.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.178 cubic foot per second, if available at the original well; SW¼ NE¼, SECTION 33, T 6 N, R 35 E, W.M.; 30 FEET NORTH AND 1650 FEET WEST FROM E¼ CORNER, SECTION 33, or its equivalent in case of rotation, measured at the well.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

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

The authorized place of use is as follows:

SW $\frac{1}{4}$  NE $\frac{1}{4}$  24.0 ACRES  
SECTION 33  
TOWNSHIP 6 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.

The SECOND right to be modified, as evidenced by a PORTION of Certificate 44657, was perfected under Permit G-4999 with a date of priority of AUGUST 7, 1972. The right allows the use of WELL NO. 7, within the LITTLE WALLA WALLA RIVER BASIN, for SUPPLEMENTAL IRRIGATION 29.24 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.133 cubic foot per second, if available at the original well; SE $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 33, T 6 N, R 35 EAST, W.M.; 420 FEET NORTH AND 1040 FEET WEST FROM E $\frac{1}{4}$  CORNER, SECTION 33, 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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

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

The authorized place of use is as follows:

SW $\frac{1}{4}$  NE $\frac{1}{4}$  29.24 ACRES  
SECTION 33  
TOWNSHIP 6 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.

The THIRD right to be modified, as evidenced by a PORTION of Certificate 44658, was perfected under Permit G-5000 with a date of priority of AUGUST 7, 1972. The right allows the use of WELL NO. 6, within the LITTLE WALLA WALLA RIVER BASIN, for SUPPLEMENTAL IRRIGATION 29.24 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.133 cubic foot per second, if available at the original well; NE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 33, T 6 N, R 35 EAST, W.M.; 230 FEET SOUTH AND 30 FEET WEST FROM E $\frac{1}{4}$  CORNER, SECTION 33, 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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

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

The authorized place of use is as follows:

SW $\frac{1}{4}$  NE $\frac{1}{4}$  29.24 ACRES  
SECTION 33  
TOWNSHIP 6 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.

The applicant proposes to CHANGE THE POINT OF APPROPRIATION to:

SW $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 33, T 6 N, R 35 E, W.M.; 2235 FEET SOUTH AND 810 FEET EAST FROM N $\frac{1}{4}$  CORNER, SECTION 33.

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

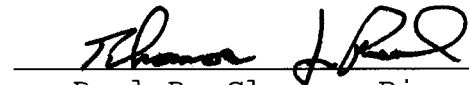
1. The proposed change shall be completed on or before October 1, 2004.
2. The quantity of water diverted at the new point of appropriation (well) shall not exceed the quantity of water lawfully available from the original point of appropriation.

3. **Prior** to diverting water from the new point of appropriation (well), the water user **shall** install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the 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 aquifer as the original point of appropriation.

Certificates 44656, 44657, and 44658 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 change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources

Director, affixed MAY 31, 2003.

  
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For Paul R. Cleary, Director