

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 6722 submitted by

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The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127, as modified by in re: Water of Umatilla River, 88 OR 376. The date of priority is FEBRUARY 25, 1904 FOR THE UMATILLA RIVER AND SEPTEMBER 6, 1905 FOR COLD SPRINGS RESERVOIR.

The right allows the use of the UMATILLA RIVER AND COLD SPRINGS RESERVOIR, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 3.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.04 cubic foot per second, subject to the provisions of paragraph 33 of said decree and all other conditions and limitations contained in said decree, if available at the authorized points of diversion: MAXWELL CANAL, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 28, T 4 N, R 28 E, WM; USA FEED CANAL, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 22, T 3 N, R 29 E, WM; and COLD SPRINGS DAM, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 3, T 4 N, R 29 E, WM, 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 $\frac{1}{4}$ NE $\frac{1}{4}$ 3.0 ACRES
SECTION 4
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 and is subject to all other conditions and limitations contained in the decree.

The applicant proposes to change the point of diversion for the waters of the Umatilla River from the Maxwell Canal to:

SW¼ NE¼, SECTION 4, T 4 N, R 28 E, WM; 480 FEET NORTH AND 1860 FEET WEST FROM THE E¼ CORNER, SECTION 4.

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, 1998.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. 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.

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 JUL 23 1997.



Martha O. Pagel, Director