

STATE OF OREGON

COUNTY OF MORROW

ORDER APPROVING A CHANGE IN PLACE OF USE,
AND CANCELING A PORTION OF A WATER RIGHT

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 7462 submitted by

LAWRENCE D. AND CORRINE ANN LINDSAY
P.O. BOX 4195
LEXINGTON, OREGON 97839.

The right to be modified, as evidenced by a portion of Certificate 68262, was perfected under Permit 37293 with a date of priority of FEBRUARY 7, 1974. The right allows the use of the COLUMBIA RIVER, a tributary of the PACIFIC OCEAN, for SUPPLEMENTAL IRRIGATION OF 74.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.86 cubic feet per second, provided the total amount diverted under all water rights perfected under Permit 37293 does not exceed 99.92 cubic feet per second, if available at the authorized point of diversion: LOT 7 (NE¼ NW¼), SECTION 2, T 4 N, R 25 E, WM; 150 FEET SOUTH AND 2990 FEET WEST FROM THE NE CORNER, SECTION 2, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH 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 4½ acre-feet for each acre irrigated during the irrigation season of each year. Although part of this right is supplemental, in the interest of conserving groundwater, it may be exercised when groundwater is available provided the quantity diverted from all sources does not exceed the limitation allowed herein. In the event the primary right from the wells is curtailed or abandoned the land described as supplemental shall be considered as a primary irrigation right.

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

The authorized place of use is located as follows:

SUPPLEMENTAL

NE $\frac{1}{4}$ SW $\frac{1}{4}$	25.4 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	6.7 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	8.1 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	31.6 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	1.2 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.5 ACRES

SECTION 13

TOWNSHIP 2 NORTH, RANGE 26 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 place of use to:

CHOWNING

NE $\frac{1}{4}$ NE $\frac{1}{4}$	11.2 ACRES (Taxlot 1001)
NW $\frac{1}{4}$ NE $\frac{1}{4}$	9.5 ACRES (Taxlot 1001)
SE $\frac{1}{4}$ NE $\frac{1}{4}$	6.0 ACRES (Taxlot 1001)
NE $\frac{1}{4}$ NW $\frac{1}{4}$	8.2 ACRES (Taxlot 1001)
NE $\frac{1}{4}$ SE $\frac{1}{4}$	10.5 ACRES (Taxlot 1000)
SW $\frac{1}{4}$ SE $\frac{1}{4}$	6.1 ACRES (Taxlot 1000)

SECTION 10

TOWNSHIP 3 NORTH, RANGE 26 EAST, W.M.

LINDSAY

NW $\frac{1}{4}$ NE $\frac{1}{4}$	1.6 ACRES (Taxlot 301)
SW $\frac{1}{4}$ NE $\frac{1}{4}$	8.3 ACRES (Taxlot 301)
NE $\frac{1}{4}$ NW $\frac{1}{4}$	4.9 ACRES (Taxlot 301)
SE $\frac{1}{4}$ NW $\frac{1}{4}$	8.2 ACRES (Taxlot 301)

SECTION 10

TOWNSHIP 2 NORTH, RANGE 26 EAST, W.M.

An affidavit was received from Rosella Lindsay, and Lawrence D. and Corrine Ann Lindsay, the owners of certain land and the water rights appurtenant to it. The primary water right has been abandoned and is requested to be canceled.

The abandoned water right is a portion of the right described by Certificate 64190, State Record of Water Right Certificates. The abandoned water right is for the use of water from 3 wells, in the Columbia River Basin. The date of priority is February 3, 1970. The abandoned water right is for irrigation of 74.5 acres.

A description of the place of use of the abandoned right is as follows:

NE¼ SW¼	25.4 ACRES
NW¼ SW¼	6.7 ACRES
SW¼ SW¼	8.1 ACRES
SE¼ SW¼	31.6 ACRES
NW¼ SE¼	1.2 ACRES
SW¼ SE¼	1.5 ACRES

SECTION 13
TOWNSHIP 2 NORTH, RANGE 26 EAST, W.M.

The total quantity of water described by the water right is used on other lands within the water right. No quantity of water is abandoned.

ORS 540.621 provides: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the Commission shall enter an order canceling the water right."

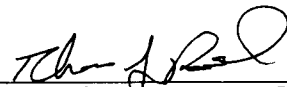
THESE CHANGES TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2000.
2. In accordance with an existing condition of this water right, the use of water is now for primary irrigation. The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH 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 4½ acre-feet for each acre irrigated during the irrigation season of each year.
3. When required by the Department, the water user or improvement district 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. When required by the Department, the water user or improvement district shall operate and maintain the headgate and measuring device, as needed. The water user or improvement district shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.
5. The former place of use shall no longer be irrigated as a part of this water right.

The portion of the water right requested to be canceled as described herein is canceled. Certificates 68262 and 64190 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 NOV 02 1998.



Martha O. Pagel, Director
Ms