

STATE OF OREGON

COUNTY OF MORROW

ORDER APPROVING A CHANGE IN PLACE OF USE,
A PARTIAL CANCELLATION OF A WATER RIGHT,
AND PARTIAL DIMINUTION OF WATER RIGHTS

Pursuant to ORS 537.252, after notice was given and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, PERMIT AMENDMENT 8716 submitted by

WEST EXTENSION IRRIGATION DISTRICT
P.O. BOX 100
IRRIGON, OREGON 97844.

The permit to be modified is Permit 45999 with a date of priority of JUNE 15, 1981. The permit allows the use of the COLUMBIA RIVER, a tributary of the PACIFIC OCEAN, for IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 134.9 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 3.4 cubic feet per second, if available at the authorized point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 23, T 5 N, R 26 E, W.M.; 800 FEET NORTH AND 200 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 23, or its equivalent in case of rotation, measured at the point of diversion from the source.

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 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 4.5 acre-feet 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, for the lands described as supplemental, provided further that the lands for which a right now exists may be considered as primary irrigation if, at the time of final proof, these rights have been properly transferred to another location.

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

The authorized place of use is located as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.5 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.5 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 12.0 ACRES	SECTION 24
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5.3 ACRES	
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.6 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$ 6.8 ACRES
SECTION 22	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 16.0 ACRES
	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 13.8 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.8 ACRE	SECTION 25
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.0 ACRE	
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.4 ACRE	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.0 ACRE
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.7 ACRES	NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.0 ACRE
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 9.7 ACRES	SECTION 26
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 8.7 ACRES	
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.3 ACRES	
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 6.4 ACRES	
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.0 ACRE	
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 8.8 ACRES	
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 6.0 ACRES	
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 7.0 ACRES	
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.2 ACRES	
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 7.4 ACRES	
SECTION 23	

TOWNSHIP 5 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:

SW¼ NE¼ 2.0 ACRES
SE¼ SW¼ 11.6 ACRES
NE¼ SE¼ 5.7 ACRES
SE¼ SE¼ 2.7 ACRES
SECTION 23

NW¼ SW¼ 16.0 ACRES
NW¼ SE¼ 0.4 ACRE
SECTION 24

NW¼ NE¼ 18.5 ACRES
SW¼ NE¼ 27.1 ACRES
SE¼ NE¼ 15.2 ACRES
NE¼ NW¼ 12.3 ACRES
SW¼ NW¼ 9.0 ACRES
SE¼ NW¼ 11.9 ACRES
SECTION 25

SW¼ NW¼ 2.5 ACRES
SECTION 26

TOWNSHIP 5 NORTH, RANGE 26 EAST, W.M.

Cancellation affidavits were received from Robert L. and Betty Anderson, Joe D. and Juanita Cox, Allen D. Bean and Shiao-Chin Wu, Dale Williams, and James and Bridgett Clark, owners of certain land and the water rights appurtenant to it. Portions of a water right have been abandoned and are requested to be cancelled.

The portions are described by Certificate 49879, State Record of Water Right Certificates. The date of priority is October 7, 1974. The water use was for 6.0 acres from a well in the Columbia River Basin. The amount used was 0.075 cubic foot per second.

The abandoned portion is located as follows:

NW¼ SW¼ 6.0 ACRES
SECTION 24

TOWNSHIP 5 NORTH, RANGE 26 EAST, W.M.

ORS 540.610 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."

Diminution affidavits were received from Warren H. and Frances B. McCoy, David R. and Debra L. Burns, and Tim R. and Cindy D. Beatty, owners of certain lands and the water rights appurtenant to it. Portions of a water right have been requested to be

diminished to supplemental irrigation.

The portions are described by Certificate 49879, State Record of Water Right Certificates. The date of priority is October 7, 1974. The water use was for 6.0 acres from a well in the Columbia River Basin. The amount used was 0.075 cubic foot per second.

The diminished portions are located as follows:

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 6.0 ACRES
SECTION 24

TOWNSHIP 5 NORTH, RANGE 26 EAST, W.M.

A diminution affidavit was received from Wayne W. Huwe and Barbara J. Huwe, owners of certain land and the water rights appurtenant to it. A portion of a water right has been requested to be diminished to supplemental irrigation.

The portion is described by Certificate 54731, State Record of Water Right Certificates. The date of priority is August 10, 1977. The water use was for 2.5 acres from a well in the Columbia River Basin. The amount used was 0.03 cubic foot per second.

The diminished portion is located as follows:

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.5 ACRES
SECTION 26

TOWNSHIP 5 NORTH, RANGE 26 EAST, W.M.

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

1. The former places of use shall no longer be irrigated as a part of this water right.
2. All other terms and conditions of the permit remain the same.

The portions of the water right evidenced by Certificate 49879 requested to be cancelled are cancelled.

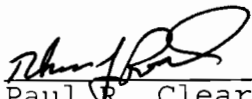
The portions of the water right evidenced by Certificate 49879 requested to be diminished to supplemental irrigation are diminished.

The portion of the water right evidenced by Certificate 54731 requested to be diminished to supplemental irrigation is diminished.

Permit 45999, in the name of WEST EXTENSION IRRIGATION DISTRICT, is amended as described herein. Certificates 49879 and 54731 are cancelled. New certificates will be issued to confirm the diminished portions of Permits G-5271 and G-7749.

WITNESS the signature of the Water Resources

Director, affixed SEP 27 2001.


Paul R. Cleary, Director