

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING TEMPORARY CHANGES IN PLACE OF USE

Pursuant to ORS 540.523, 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, TEMPORARY TRANSFER 8317 submitted by

WESTLAND IRRIGATION DISTRICT
P.O. BOX 416
STANFIELD, OREGON 97875.

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as tabulated in the names of Western Land and Irrigation Company and Westland Irrigation District. The decrees are recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127 and Volume 16, at Page 457. The date of priority is MARCH 14, 1903.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 17.7 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.22 cubic foot per second, subject to paragraph 33 of the decree, if available at the authorized point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 21, T 3 N, R 29 E, WM; N 76° 45' 56" E, 2913.19 FEET FROM THE W $\frac{1}{4}$ CORNER, SECTION 21, or its equivalent in case of rotation, measured at the point of diversion from the source.

Notice: Under the provisions of OAR-690-004-0080, the applicant may petition for reconsideration of this order. The petition shall set forth specific grounds for reconsideration. The petition for reconsideration must be filed within 60 days after the date this order is served.

The second right to be modified, as evidenced by a portion of Permit 7400, with a date of priority of JULY 7, 1924. The permit allows the use of McKAY RESERVOIR, CONSTRUCTED UNDER PERMIT R-584, a tributary of the UMATILLA RIVER, for SUPPLEMENTAL IRRIGATION of 17.7 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 46.20 acre-feet, if available at the authorized point of diversion: McKAY DAM - NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 34, T 2 N, R 32 E, WM, 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 an other right existing for the same lands, shall be limited to a diversion of not to exceed 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

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 $\frac{1}{4}$ 16.1 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.6 ACRES
SECTION 33
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 TEMPORARILY change the place of use to:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 17.7 ACRES
SECTION 20
TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.


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

1. The change is temporary. The change shall be effective upon issuance of this order.
2. The former places of use shall not be irrigated as part of this water right during the 1999 irrigation season.
3. The use shall revert to the authorized place of use at the end of the 1999 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. The use of the remaining water right described by the Umatilla Decrees and Permit 7400 shall continue to be in accordance with the terms and conditions of the Umatilla Decrees and Permit 7400.

WITNESS the signature of the Water Resources Director,

AUG 18 1999

affixed _____.


for _____
Martha O. Pagel, Director