

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A TEMPORARY CHANGE 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 9002 submitted by

LLOYD P. AND LOIS J. PIERCY
33927 RIVERVIEW DRIVE
HERMISTON, OREGON 97838.

The right to be modified, as evidenced by a PORTION of Certificate 52675, was perfected under Permit G-7929 with a date of priority of FEBRUARY 15, 1978. The right allows the use of FOUR WELLS, in the STAGE GULCH BASIN, for IRRIGATION of 220.00 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.75 cubic feet per second, if available at the original wells located at: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 33, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 32, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 29, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 28, T 4 N, R 30 E, W.M.; WELL 1 - 1030 FEET NORTH AND 2420 FEET EAST; WELL 2 - 980 FEET NORTH AND 1640 FEET WEST, BOTH FROM SW CORNER, SECTION 33; WELL 3 - 2170 FEET NORTH AND 50 FEET WEST FROM SE CORNER, SECTION 29; WELL 4 - 930 FEET NORTH AND 240 FEET WEST FROM E $\frac{1}{4}$ CORNER, SECTION 28, or its equivalent in case of rotation, measured at the well.

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-EIGHIETH 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 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:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.39 ACRES
SECTION 5
TOWNSHIP 3 NORTH, RANGE 30 EAST, W.M.

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 11.16 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.54 ACRE
SECTION 27

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.14 ACRE
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 14.71 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.97 ACRE
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 17.92 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.44 ACRE
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.76 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.85 ACRE
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.27 ACRES
SECTION 28

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 10.68 ACRES
SECTION 29

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.59 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 8.81 ACRES
SECTION 32

| | |
|---------|-------------|
| NE¼ NE¼ | 24.28 ACRES |
| SE¼ NE¼ | 15.05 ACRES |
| NE¼ SW¼ | 1.36 ACRES |
| SE¼ SW¼ | 0.35 ACRE |
| NE¼ SE¼ | 12.00 ACRES |
| NW¼ SE¼ | 12.40 ACRES |
| SW¼ SE¼ | 3.20 ACRES |
| SE¼ SE¼ | 16.29 ACRES |

SECTION 33

| | |
|---------|-------------|
| NE¼ NW¼ | 6.73 ACRES |
| NW¼ NW¼ | 37.77 ACRES |
| SW¼ NW¼ | 10.12 ACRES |
| NW¼ SW¼ | 1.42 ACRES |
| SW¼ SW¼ | 2.80 ACRES |

SECTION 34

TOWNSHIP 4 NORTH, RANGE 30 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 **temporarily** change the place of use to:

| | |
|---------|-------------|
| SW¼ SW¼ | 11.81 ACRES |
| SE¼ SW¼ | 12.44 ACRES |

SECTION 29

| | |
|---------|-------------|
| NE¼ NW¼ | 37.55 ACRES |
| NW¼ NW¼ | 35.73 ACRES |
| SW¼ NW¼ | 21.15 ACRES |
| SE¼ NW¼ | 23.24 ACRES |
| NE¼ SW¼ | 37.42 ACRES |
| NW¼ SW¼ | 28.45 ACRES |
| SW¼ SW¼ | 4.96 ACRES |
| SE¼ SW¼ | 7.25 ACRES |

SECTION 32


TOWNSHIP 4 NORTH, RANGE 30 EAST, W.M.

THIS CHANGE TO AN EXISTING WATER RIGHT 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 place of use shall not be irrigated as part of this water right during the 2002 irrigation season.
3. The use shall revert to the authorized place of use at the end of the 2002 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 Certificate 52675 shall continue to be in accordance with the terms and conditions of Certificate 52675.

WITNESS the signature of the Water Resources

Director, affixed APR 11 2002.



Paul R. Cleary, Director